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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

42 WRIT PETITION NO. 14685 OF 2025

Raosaheb Ramrao Pande

VERSUS

State Of Maharashtra Through The Chief Secretary And Others

.....

Mr. Mandar M. Dabholkar. Advocate for Petitioner (**absent**)

Mr. R.S. Wani, AGP for Respondents State

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 19 JANUARY, 2026

PER COURT :-

1. Learned advocate for the petitioner is absent.
2. We have gone through the petition. The Petitioner has filed the petitioner for following reliefs:

“B. Honourable Court be pleased to issue directions to Respondents No.2 and 3 to renew lease in respect of House Property of Petitioner herein bearing HIG Tenement No.21 in 42 Tenements Scheme, S. No.45, Shahanoorwadi, Aurangabad.

C. Honourable Court be pleased to issue directions to Respondent No.4 & 5 adjudicate the renewal of lease in exclusion of stamp duty or any other charge pertaining to previous transaction.”

3. The question of renewal of the lease depends upon mutual agreement. There cannot be a right to renew the lease in anybody's favour. It appears that the petitioner had moved an application for renewal of lease, but respondents No.2 and 3 put the said application

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on hold and had asked the petitioner to pay stamp duty. Respondent No.4 had demanded stamp duty of Rs.1,09,950/- in the name of the petitioner and another demand of Rs.21,500/- in the name of Ashok Arun Tayade. It appears that the previous allotment was there. The petitioner is of the opinion that respondents No.1 to 3 are compelling him to pay stamp duty of transaction to which the petitioner was not a party. He has already paid the requested stamp duty and is not liable to pay stamp duty on the same transaction. Here, the computation and levy of stamp duty appear to be grounds for which, under the Stamp Act, there is a provision for appeal. The petitioner can knock the doors of the appellate forum, and therefore, by asking respondents No.2 and 3 to keep the application as it is, which is within the limitation. If the petitioner approaches the appellate authority under the Stamp Act, then further recourse to be taken.

4. We do not find any other angle for exercise of powers under Article 226 of the Constitution of India. The prayers, in the form in which they are made, cannot be granted. Therefore, with the aforesaid observations, the writ petition is disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE