

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14777 OF 2024

Santosh Baburao Newale

... Petitioner

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Digajmaan Mishra a/w. Mr. Yashmaan Mishra, Mr. Arpit K. Ashok and Mr. Aman Saroj for the Petitioner.

Mr. A. I. Patel, Addl GP a/w. Ms. Dhruvi Kapadi, AGP for the Respondent-State.

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATED : 16th MARCH, 2026.

P.C. :

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner submits that respondent No.2 has duped several persons though he is non-agriculturist. It is the case of the petitioner that respondent No.2, had purchased the land which is the subject matter of the present petition, from the petitioner's father. However, according to learned counsel for the petitioner, the entire transaction was in cash and that too has been shown to have been entered into after the demise of the petitioner's father. It is the submission of the learned counsel for the petitioner that the question whether respondent No.2 has entered into several transactions despite the fact that he is a non-

agriculturist is required to be examined by the concerned authority. It is submitted that several representations have been made to the Collector and even to the Revenue Minister but no action has been taken against respondent No.2 in respect of such fraudulent transactions. It is pertinent to note that in respect of the sale transaction, the petitioner has already filed a civil suit. It is submitted that the said civil suit has been pending for the last 10-15 years. If that is so, the petitioner can always request the trial Court to expedite the suit and in any case, if the suit is pending for more than 10 years, the trial Court shall consider expediting the suit on the request made by the petitioner. The suit to be tried on its own merits in accordance with law without being influenced by any observations made by this Court.

3. So far as the other grievance of the petitioner, that respondent No.2 has duped hundred's of other persons and has got fraudulently executed sale-deeds in his favour, cannot be made subject matter of this petition by enlarging the scope of this petition. It is open for the petitioner to resort to appropriate remedies to raise such grievances.

4. Keeping all contentions open, the petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)