

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4684 OF 2012

Smt. Shantabai w/o. Bhaurao Sonawane,
Age: 65 years, Occu: Household & Agril.,
R/o. Georai Bazar, Tq. Badnapur,
District Jalna

...Petitioner

versus

The State of Maharashtra & ors.

...Respondents

.....
Mr. R. K. Khandelwal, Advocate for petitioner
Mr. B. A. Shinde, A.G.P. for respondent/State
Mr. M. S. Karad, Advocate h/f Mr. S. S. Thombre, Advocate for respondent
Nos. 4,5 & 7

.....

CORAM : N.W. SAMBRE, J.

DATE : 1st DECEMBER, 2015

ORAL ORDER :

Heard respective Counsel.

2. It is not in dispute that, by an order dated 10/03/2008, Tahsildar had ordered removal of encroachment on cart road from Gat No. 228 and 169 and has granted alternate way passing through Georai Bazar to Land Gat Nos. 234, 233 and 239, for approaching Gat No. 229. It is not in dispute that, the said order still holds the field.

3. In view of above, as already there exists way by virtue of order of Tahsildar dated 10/03/2008 in favour of the petitioners, the present petition questioning the order of the Additional Collector, passed pursuant to subsequent order of the Tahsildar dated 24/01/2012 on the above same lines, needs no further consideration. As such petition fails, stands dismissed.

[N.W. SAMBRE, J.]