

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.446 OF 2014

Bhaskar Paygonda Kognole .. Petitioner
Versus
The Village Panchayat,
Village Kavathe Ekand, Taluka
Tasgaon, Dist. Sangli and Ors. .. Respondents

Mr.Anil Kumar Patil for petitioners
Mr.P.P.Kakade, AGP for respondent Nos. 4 and 5.

CORAM : NARESH H.PATIL &
S.B.SHUKRE, JJ.

DATE : 14th July 2015.

P.C.

1] The petitioner seeks a direction against the respondent Nos. 2 and 3 to take appropriate action pursuant to the audit report.

2] It is admitted position that the petitioner had filed a civil suit against the Gram Panchayat being Regular Civil Suit No.86 of 2005 on the ground that the land which is being used for construction of balwadi is petitioner's land. By a judgement and order dated 21st March 2013 the trial court dismissed the suit. Learned Counsel for

petitioner further submits that the petitioner preferred appeal against the said judgement and order. It is still pending. Learned Counsel for the petitioner has brought to our notice the remarks in the audit report and the communication made by the authorities concerned.

2] In view of the pendency of the appeal concerning title of the suit property, we are not inclined to exercise our writ jurisdiction. All issues are kept open. Petition is dismissed.

(NARESH H. PATIL, J.)

(S.B.SHUKRE, J)