

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5566 OF 2014

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. Sachin Hande for Petitioner.

Ms Aparna Vhatkar - AGP for Respondent Nos. 1 to 3.

CORAM : M. S. SONAK, J.

DATE : 17 FEBRUARY, 2015

P.C. :-

1] The petitioner questions the orders made under the Mamlatdar Courts Act, 1907 by the Tahsildar and the Sub Divisional Officer.

2] The grievance of the petitioner is that his neighbour has encroached upon his property and constructed a compound wall. At least, *prima facie*, disputes of such nature cannot be agitated before the Authorities under the Mamlatdar Courts Act, 1907.

3] It is open to the petitioner to institute a civil suit before the civil court. If such civil suit is instituted by the petitioner, then the same shall be decided by the civil court without being influenced by any orders made by the Authorities under the Mamlatdar Courts Act, 1907 or for that matter the non entertainment of the present petition.

4] With these observations, the present petition is disposed of.