

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5726 OF 2015

Mohd.Latif Sheikh Kalu

-vs-

The Collector, Washim and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. R.N.Ghuge, counsel for the petitioner.
Mr. N.R.Patil, AGP for the respondent Nos.1 to 3.

CORAM : SMT. VASANTI A. NAIK &
PRASANNA. B. VARALE, JJ.

DATE : 17.11.2015.

The only prayer made in this petition is for a direction to the respondents to forthwith clear the cart way from village Mohgavhan to Surkundi as indicated in the village map and further to ensure that the same is not encroached upon or obstructed in any manner. Several documents are annexed to the petition to point out that there was a cart way from village Mohgavhan to Surkundi and the same has been encroached upon.

The relief sought by the petitioner may not be granted, in exercise of the writ jurisdiction, as several questions of facts would arise for determination in this writ petition. The petitioner has alternate remedy under the provisions of the Maharashtra Land Revenue Code and the Mamlatdar's Court Act. Instead of availing the alternate remedy, the petitioner has approached this Court seeking indulgence.

In the aforesaid set of facts, we decline to entertain the writ petition. The writ petition is dismissed with no order as to costs. The points raised in the petition are kept open.

JUDGE

JUDGE