

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.7508 OF 2018

Gopinath Shamrao Kapase
and another

Petitioners

Versus

The State of Maharashtra & others

Respondents

Mr.U.B.Deshmukh, advocate for petitioners.
Mrs.M.A.Deshpande, A.G.P. for Respondents.

**CORAM : R.M.BORDE AND
A.M.DHAHALE, JJ.**

DATE : 11th July, 2017.

P.C. :

The action of petitioners of prohibiting the competent authorities from conducting repairs to the minor canal passing through the agricultural land of the petitioners is likely to cause damage to the agricultural properties of the adjoining land owners contending that since the minor canal has been constructed without acquiring land of the petitioners and without observing the prescribed procedure, they would not allow carrying out repairs to the canal, disentitles them from securing any equitable relief from this Court.

It would be open for the petitioners to avail of remedies available in law for grant of relief in terms of prayers made in this petition.

With liberty as aforesaid, Writ Petition is disposed of.

**A.M.DHAHALE
JUDGE**

**R.M.BORDE
JUDGE**

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