

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

**WRIT PETITION NO. 7367 OF 2019**

ANANDRAO BAPURAO NIRMAL AND ANOTHER  
VERSUS  
CHIEF EXECUTIVE OFFICER AND OTHERS

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Advocate for Petitioners : Mr. Mahadev Nirmal and  
Mr. Pradip P. Patil

AGP for Respondents:

Advocate for Respondents / State : Mr. P. S. Patil

...

**CORAM: S. V. GANGAPURWALA &**  
**MANGESH S. PATIL, J.**

**DATE: 14<sup>th</sup> AUGUST, 2019**

**PER COURT:**

1. We have heard the learned Advocate for the petitioners. According to the learned Advocate, the learned Civil Judge, Senior Division, Kaij under its judgment and order dated 22.04.2016 in Regular Civil Suit No. 169 of 2005 had issued directions to the Block Development Officer, Panchayat Samiti, Kaij and the Chief Executive Officer of Zilla Parishad, Beed to conduct an enquiry with regard to the illegal corrections in

the original record of the year 1983-1984, as well as in the Tax Assessment register of the year 1992-1993 of the house property bearing no. 465 of Grampanchayat Yevta, Taluka - Kaij. According to the learned Advocate, the enquiry was conducted, the report was submitted, however action is not taken.

2. The learned Advocate further submits that the petition is filed for that limited purpose that enquiry should be taken to its logical ends.

3. We would have considered the contentions of the petitioners, however, the suit filed by the petitioners for declaration of ownership and enquiry has been dismissed by the learned Civil Judge, Senior Division bearing Regular Civil Suit No. 169 of 2005 under its judgment and order dated 22.04.2016. The learned Civil Judge, Senior Division had held that the petitioners are not the owner of the property nor are in possession of the said property.

4. As the petitioners are not the owner of the property in view of the judgment of the learned Civil Court, the petitioners would not have a *locus* to seek further directions. We would entertain such arguments in petition of a original owner and / or the possessor of the property.

5. In view of the findings of the Civil Court which still are in force, the grievance of the petitioners cannot be entertained.

6. Writ Petition as such is disposed of. No costs.

**[MANGESH S. PATIL, J.]      [S. V. GANGAPURWALA, J.]**

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