

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

**1 WRIT PETITION NO.13021 OF 2018**

ARVIND KANAKMAL CHANGEDE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Sambhaji B. Tarde, Advocate for the Petitioner.

Mr. V. M. Kagne, AGP for Respondents-State.

Mr. Avinash S. Khedkar h/f Mr. Sandip R. Andhale,  
Advocate for Respondent No.9.

...

**CORAM : S. V. GANGAPURWALA &  
AVINASH G. GHAROTE, JJ.**

**DATED : 06<sup>th</sup> NOVEMBER, 2019.**

**PER COURT:-**

1. We have heard Mr. Tarde, learned counsel for the petitioner, learned A.G.P. and Mr. Khedkar, learned counsel for respondent no.9.

2. According to the learned counsel for the petitioner, respondent no.9 had filed Civil Suit against the petitioner. The Suit is dismissed. The Appeal filed before the District Court is also dismissed and now the Second Appeal is filed by respondent no.9. The Court has come to the conclusion that there is no encroachment.

3. The petitioner would have remedy against the order impugned in the present petition before the appropriate Court/Authority and can take aid of

the judgment of the Civil Court rendered. The petitioner is at liberty to do so.

4. All contentions of parties are kept open.

5. Writ Petition is disposed of. No costs.

**(AVINASH G. GHAROTE)**  
**JUDGE**

**(S. V. GANGAPURWALA)**  
**JUDGE**