

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4442 OF 2019

**(Tarachand Santaram Rajput through L.Rs. Dharamchand Tarachand
Rajput and others Vs. The State of Maharashtra and others)**

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Mr. Satej S. Jadhav, Advocate holding for Mr. R.P. Patwardhan,
Advocate for the petitioners

Mr. Y.G. Gujrathi, A.G.P for the respondent/State

Mr. G.V. Ghuge, Advocate for respondent No.6

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CORAM : MANGESH S. PATIL, J.

DATE : 25.11.2021

PER COURT :

Heard learned Advocate Mr. Satej S. Jadhav, holding for Mr. R.P. Patwardhan, Advocate for the petitioners. He, on instructions, seeks leave to withdraw the writ petition with liberty to approach the State Government by preferring appropriate revision against the order of the Divisional Commissioner under challenge in this writ petition, in view of the provision of Section 257 of the Maharashtra Land Revenue Code.

2. Learned Advocate Mr. Jadhav, however, submits that considering the nature of the dispute, when the pathway, which is allowed to be used by respondent No.6 out of sheer love and near relation, is now being sought to be used as cart-way, some interim protection be granted interregnum.

3. The writ petition was filed in March 2019 and at no point of time, interim relief was granted and has been in operation. In view of above, no relief can be granted as claimed for the first time today.

4. The Writ Petition is dismissed with liberty as prayed for.

[MANGESH S. PATIL]
JUDGE

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