

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

922 WRIT PETITION NO.7145 OF 2021

NETAJI KISHANRAO PATIL
VERSUS
EKNATHS KISHANRAO MORE AND OTHERS

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Mr. D.S. Kudle, Advocate for the petitioner
Smt. Vaishali Patil, A.G.P. for the State.

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CORAM : **AVINASH G. GHAROTE, J.**

DATE : 27-07-2021.

ORDER :

1. Heard Mr. Kudale, learned Counsel for the petitioner, who challenges the concurrent findings by the Mamlatdar dated 20.11.2019 and the SDO, Nilanga dated 22.02.2021, wherein it has been held that there exists a road, from the boundary between the land of Survey No. 215 on the one hand and Survey Nos. 212, 213 and 214 on the other hand. The spot inspection report dated 11.10.2019, has fortified the existence of the above road and it has also been found, that the same has been blocked by the petitioner, due to which, the learned Mamlatdar had directed removal of the obstruction to the same which has been confirmed by the learned S.D.O. Mr. Kudale, submits, that there is an alternate way available, to the respondent Nos.1 to 3, for approaching their land of Survey No. 193, which is located to the south side of Survey No. 215. However, nothing is there on record, to demonstrate this position.

The map placed on record, shows the boundary of village Honali, to the west of the land of Survey No. 193, however, nothing is forthcoming on record from the side of the petitioner, as to whether the boundary is passable or not, in view of which, the impugned orders, which hold the existence of the road and direct the removal of the obstruction, cannot be faulted with.

2. Therefore, there is no merit in the petition and the same is accordingly dismissed.

(AVINASH G. GHAROTE, J.)

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