

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

930 WRIT PETITION NO.1298 OF 2022

KALANDAR KHAN MANSUR KHAN PATHAN  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr.S.S. Gangakhedkar, advocate for petitioner.  
Mr.A.R. Kale, AGP for respondent/State.

...

CORAM : S.V. GANGAPURWALA  
AND  
S.G. DIGE, JJ.

DATE : 27<sup>th</sup> JANUARY, 2022

PER COURT :-

. We have heard the learned advocate for the petitioner and learned AGP for respondent nos.1 to 3.

2. It appears that the grievance of the petitioner is that a private person namely Sikandar Khan Pathan has carried out construction without permission in the plot owned by the petitioner and now seeks directions against the Municipal Corporation to demolish that construction.

3. The dispute is amongst the private parties in respect of private property. The parties will have to establish their right, title and interest over the property and further entitlement to the relief. The same can not be

done under writ jurisdiction of this Court.

4. In the light of that Writ Petition is disposed of. The petitioner may avail the appropriate remedy, as may be permissible under law. No costs.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

SGA