

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

69 WRIT PETITION NO.7144 OF 2022

BHASKAR BAPU JADHAV AND OTHERS
VERSUS
PRAVIN DHANRAJ JADHAV AND OTHERS

...
Advocate for Petitioners : Mr. D.R. Adhav
Advocate for Respondent 1 : Mr. S.N. Patne
AGP for Respondents 2 and 3 : Mr. G.O. Wattamwar

...
CORAM : ARUN R. PEDNEKER, J.
DATED : NOVEMBER 28th, 2022.

PER COURT :

1. Heard the learned counsel for the respective parties.
2. Brief facts of the case are that an application dated 11.6.2021 under section 5 of the Mamlatdar Courts Act was made by respondent No. 1 before Tahsildar Umerga for removal of obstructions caused by the petitioners for usage of cart-road. After hearing all the parties, Tahsildar allowed the application filed by respondent No. 1 vide order dated 17.8.2021. The petitioners challenged the said order passed by Tahsildar before Sub Divisional Officer (SDO) by filing revision. After hearing the parties, the learned SDO confirmed the order of Tahsildar vide order dated 13.6.2022. Hence, the present petition.
3. Both the Courts below have consistently held that there is access to the respondents which has been obstructed by the petitioners. Both the Courts below have examined the facts and rendered a finding that the petitioners are obstructing the road used by the respondents. The same cannot be interfered lightly unless patent illegality is committed while recording the findings of fact. In view of the above, there is no reason to interfere in the orders passed by the Courts below. Thus, the present writ petition is dismissed.

[ARUN R. PEDNEKER J.]