

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

931 WRIT PETITION NO.9090 OF 2021

SAI AUTO CONSULTANT PROPRIETOR ISAQ HUSSAIN ATTAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr.Shaikh Mazhar A. Jahagirdar
AGP for Respondent Nos.1 to 3 : Ms.R.P.Gaur

**CORAM : RAVINDRA V. GHUGE &
SANDIPKUMAR C. MORE, JJ.**

DATE : 8th June, 2022

PER COURT:-

1. The petitioner has put forth prayer clause - B, which reads as under :-

“B] Issue appropriate writ, order or directions, in the like nature, direct to respondent Nos.1 to 5 to release the property situated at Sangamner road, Shrirampur property House No.2345, City Survey No.1370/A/8 admeasuring 93 Sq.Meter, sealed by the Circle Officer Shrirampur vide notice dated 30.6.2021 & handover the possession in favour of petitioner and for that purpose issue necessary orders.”

2. The learned Advocate for the petitioner submits that during the pendency of this petition, the property has been released. He further submits that same Tahsildar from Shrirampur, respondent No.2 herein, is attempting to evict the petitioner from the premises though there is no order passed by any Court or by any

Executing Court for evicting the petitioner. According to the petitioner, this seems to be a private illegal act being committed by respondent No.2.

3. In view of the above, this petition is disposed off with liberty to the petitioner to take recourse to a remedy as is permissible in law in order to deal with the purported private illegal act of respondent No.2.

(SANDIPKUMAR C. MORE)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

SPT