

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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WRIT PETITION NO.4888 OF 2022

Harihar Mahadev Nene Petitioner

Vs.

Barshi Municipal Council & Anr. Respondents

Mr. Samir A. Kumbhakoni for the Petitioner
Mrs. M. S. Bane, AGP for the State

**CORAM: S.V. GANGAPURWALA &
M. G. SEWLIKAR, JJ.**

DATED : APRIL 22, 2022

P.C.

1 We have heard the learned Counsel for the Petitioner.

2 Upon hearing the learned Counsel for the Petitioner it transpires that the dispute is between the private parties of a private property. The Petitioner will have to prove his rights affected because of the construction of the adjacent owner. This Court, in writ jurisdiction, cannot embark upon the investigation of the facts.

3 In the light of that, we are not inclined to entertain the Writ Petition.

4 The Writ Petition is disposed of. No costs.

5 The Petitioner may avail the remedy as may be permissible before the appropriate forum. In that event all contentions are kept open.

(M. G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)