

Corrected Order - II

**Corrections have been carried out in view of speaking to minutes
orders dated 23.03.2023 and 19.04.2023**

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

20 WRIT PETITION NO.530 OF 2023

**BABAN MURLIDHAR PATUNKAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

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**Advocate for Petitioner : Mr. Sanket Kulkarni h/f. J.P. Legal Associates
AGP for Respondent – State : Mr. S.G. Sangle**

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**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 13-03-2023

PER COURT :

. Mr. Kulkarni, learned counsel for the petitioner would urge that in Writ Petition No. 4695 of 2022, the order of Mamlatdar confirmed in revision granting right of way in favour of the petitioner is under challenge. According to him since the aforesaid orders are not stayed, the respondent authorities are duty bound to implement the same.

3. Considering the fact that the order is already questioned in the aforesaid writ petition, this Court is not inclined to show any indulgence as it is always open to the petitioner to seek such relief in

the pending Writ Petition No. 4695 of 2022. Keeping such liberty open to the petitioner, we dispose of this petition. In case if petitioner takes out a prayer in the pending petition before the learned Single Judge, we request the learned Single Judge to deal with the same in accordance with the provisions of the Mamlatdars Court Act. Petition accordingly stands disposed of.

4. In the meantime, it shall be open for the respondents authorities to co-operate the petitioner to execute the order passed by the Mamlatdars Court.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP