

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

62 WRIT PETITION NO.8377 OF 2023

**DILIP PANDURANG KAWADE AND OTHERS
VERSUS
DIVISIONAL MANAGER STATE BANK OF INDIA AND OTHERS**

...
Advocate for Petitioners : Mr. Suryawanshi Govind G.

CORAM : RAVINDRA V. GHUGE, &
Y. G. KHOBRAGADE, JJ.

DATE : 18th July, 2023

ORDER:

1. The petitioners are individuals who allege that Respondent No.3 has created a forged loan account and acquired loan of Rs.25 lakhs on the basis of bogus documentations. The properties of these petitioners are alleged to be shown as mortgaged. Respondent No.3 claims to be the owner of the land and the petitioners claim to be residing in constructed house on the said land.

2. It is obvious that there is a dispute as regards who is the actual owner of the properties and whether these petitioners are encroachers as is alleged by Respondent No.3.

3. Nevertheless, this Court would not exercise its writ jurisdiction for directing Respondent No. 3 to deliver certain documents to the petitioners when they are not privy to a contract with any

other authority. They can avail of a statutory remedy as may be permissible in law,

4. **This petition, being devoid of merit, is dismissed.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan