

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

**WRIT PETITION NO.14393 OF 2023
GAJANAN KISHANRAO MUTKULE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR AND ANOTHER**

...
Advocate for the Petitioner : Shri Rahul Omprakash Awasarmol
AGP for Respondents 1 and 2/State : Shri P.K. Lakhotiya

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

DATE :- 29th November, 2023

Per Court :-

1. Normally, a Writ Petition directly filed for removal of encroachment is not entertained when there are disputed issues between the parties. However, in the instant case, the Tahasildar has already initiated certain steps.

2. In view of the above, **this Writ Petition is disposed off**, expecting the Tahasildar to follow the due procedure laid down in law and initiate appropriate steps for redressing the grievance of the Petitioner. In the event of any disputed issue, the Petitioner would be at liberty to approach the Civil Court for appropriate orders.

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)