

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

911 WRIT PETITION NO.10790 OF 2023

**DAGDU KHANDU VHATKAR
VERSUS
THE SUB DIVISIONAL OFFICER OSMANABAD AND OTHERS**

...
Advocate for Petitioners : Mr. Laxman K. Pradhan
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 30.08.2023

PER COURT :

1. Heard learned counsel for the petitioner. He submits that learned Tahsildar by exercising powers under the Mamlatdar's Act has directed removal of obstruction on the path way. The learned counsel submits that there is no such path way.
2. The learned counsel for the petitioner submits that he has also filed a civil suit on the same subject matter and in terms of Section 22 of the Mamlatdars' Courts Act, the orders passed by the authorities are subject to the orders of Civil Court.
3. In view of Section 22 of the Mamlatdars' Courts Act, all the orders passed by the authorities under the Mamlatdars' Courts Act are subject to the decision of the Civil Court. The petitioner thus,

permitted to proceed with the civil suit and seeks an appropriate remedy of injunction as is available.

4. The Civil Court to decide the suit in accordance with law without being influenced by any observation of this order.

(ARUN R. PEDNEKER)
JUDGE

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shp/-