

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

18 WRIT PETITION NO.12337 OF 2023

SHRIHARI RAMA LENDALE
VERSUS
THE TAHSILDAR PURNA & OTHERS

...

Advocate for Petitioner : Mr.G.R.Syed
AGP for Respondent-State : Ms.R.P.Gaur

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CORAM : ARUN R. PEDNEKER, J.

DATE : 16.10.2023

P.C. :

1] Heard the learned counsel for the petitioner. The learned counsel for the petitioner submits that the proceedings under the Mamlatdar Courts Act is summary in nature and the petitioner is entitled to seek recourse to the Civil Court for adjudication of his claim on the easementary right of path.

2] In view of the same, the present Writ Petition is disposed of, with liberty to the petitioner to avail remedy of civil suit for asserting his right. In the event, such remedy is availed by the petitioner, the Civil Court would not be

influenced by the orders passed by the revenue authorities
and adjudicate the suit in accordance with law.

[ARUN R. PEDNEKER]
JUDGE

DDC