

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

WRIT PETITION NO.13716 OF 2023

**SHIVAJI RAMDAS KSHIRSAGAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Jadhav Vinod B.
AGP for Respondents 1 to 3 and 6/State : Shri A.V. Deshmukh
...

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

DATE :- 01st November, 2023

Per Court :-

1. The learned Advocate for the Petitioner submits that initially this Court may issue directions for measurement of four Gut numbers, then identify all encroachments and sizes of encroachments and thereafter, identify who are the encroachers and thereafter, this Court shall initiate an action against private individuals/encroachers. This all is expected the Writ jurisdiction of this Court.
2. Since all these issues can be considered by the Civil Court by issuing directions for appointment of the Court

Commissioner, for measuring the lands, for fixing boundaries and thereafter, for issuing consequential orders as regards the encroachments, we are not inclined to entertain this Writ Petition.

3. In view of the above, **this Writ Petition is disposed off** with liberty to the Petitioner to avail of the statutory remedy as may be permissible in law.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)