



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

977 WRIT PETITION NO. 13339 OF 2022

MOHAMAD ALIMMODIN SHAIKH GULAB INAMDAR

....Petitioner

VERSUS

THE SUB DIVISIONAL OFFICER AND OTHERS

.....Respondent

.....

Advocate for Petitioner : Mr. R. G. Nirmal h/f Gangakhedkar S. S.

AGP for Respondents: Mrs. M. L. Sangit

Advocate for Respondents No.3, 4A to 4C : Mr. B. S. Chondhekar

.....

CORAM : ARUN R. PEDNEKER, J.

Dated : December 20, 2023

PER COURT :-

1. Heard the learned Advocate appearing on behalf of the respective parties.
2. The learned Advocate for the petitioner submits that the application is not in terms of Section 7 and 8 of the Mamlatdar's Courts Act, so also in the spot panchanama, there is no clear assertion by the panchas that there is existing road which is blocked by the petitioner.
3. In view of the deficiency in conducting the proceeding, the matter is remitted back to the Mamlatdar to conduct the same in

accordance with law.

4. The Mamlatdar to follow the process as is available under Section 9 onwards of the Mamlatdar's Courts Act. With the above observation, the orders passed by the authorities are set aside. The matter is remitted back.

5. The parties are at liberty to make appropriate application to follow the process under Section 9 onwards of the Mamlatdar's Courts Act. The petition is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.