

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO.280 OF 2023

ABHISHEK VIJAY BHAGAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT
COLLECTOR AND OTHERS

...
Advocate for Petitioner : Mr N. L. Choudhari
GP for Respondent/State : Mr D.R. Kale

**CORAM : MANGESH S. PATIL AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 09-01-2023

PER COURT :

1. The petitioner is complaining about the alleged encroachment carried out by the respondent No. 5, who is an individual over the public way passing along the boundary of a village.
2. The petitioner is now seeking Revenue Officers to take appropriate steps for removal of the encroachment of the village boundary road.
3. The statutory remedy either to resort to Section 5 of the Mamlatdars' Courts Act, 1906 or Section 143 of the Maharashtra Land Revenue Code, 1966 would be available for the petitioner's to be resorted to.
4. We dispose of the writ petition by granting liberty to the petitioner to avail appropriate statutory remedy.

[S.G. CHAPALGAONKAR, J.]

[MANGESH S. PATIL, J.]