

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9488 OF 2023

Ananda Raoji Pawar & ors.

.Petitioners

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. Pritesh K. Bohade, Advocate, for the Petitioners

Ms. M. S. Srivastava, AGP, for Respondent Nos. 1 & 2 – State

Mr. Mahendra N. Sandhyanshiv, Advocate, for Respondent Nos.
3 to 6

CORAM : MADHAV J. JAMDAR, J.

DATE : 31.10.2023

P. C.

1. Heard Mr. Bohade, learned counsel appearing for the Petitioners, Ms. Srivastava, learned AGP appearing for Respondent Nos. 1 & 2 – State and Mr. Sandhyanshiv, learned counsel appearing for Respondent Nos. 3 to 6.

2. The Petitioner by the present Petition filed under Article 227 of the Constitution of India is *inter alia* challenging the order dated 27.06.2023 passed by the Deputy Collector alias Sub Divisional Officer, Baglan Division, Baglan, District – Nashik in Revision Application No. 65 of 2022 and the order 04.07.2022 passed by the Tahsildar, Taluka – Baglan, District – Nashik in Administration Entry No. 39 of 2021 filed under Section 5(2) of

the Mamlatdar's Court Act, 1906.

3. By the said order, the Tahsildar has directed removal of obstruction in Gat Nos. 161 and 163/2 belonging to the Petitioners. The said order has been challenged by filing an Appeal before the Deputy Collector alias Sub Divisional Officer, Baglan Sub Division, Baglan and the said Appeal has also been dismissed by order dated 27.06.2023.

4. Both the authorities have concurrently found that there is an obstruction to the agricultural land of the Petitioners bearing Gat No. 141/1/A. The said decision has been taken on the basis of the Inspection Panchanama conducted. The said panchanama also contains a plan which clearly shows that from the main road to approach land of Respondent No. 3, Respondent No. 3 has to pass through the road from the said Gat Nos. 161 and 163/2. Therefore, there is no merit in the present Petition.

5. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

(MADHAV J. JAMDAR, J.)