



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

**WRIT PETITION NO.7765/2023**

**Gajanan s/o Pundlik Khodke and another**

**...Versus...**

**The Sub-Divisional Officer, Karanja, Tah. Karanja, Distt. Washim and others**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders or directions  
and Registrar's orders  
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Court's or Judge's orders

Mr. T.M. Malnas, Advocate for petitioners  
Mr. M.A. Kadu, AGP for respondent nos.1 and 2

**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 19/12/2023**

1. Heard Mr. Malnas, learned counsel for the petitioners. The petition questions the order dated 22/12/2017 of the learned Mamlatdar, by which the application filed by the petitioner/plaintiff, claiming that the removal of the obstruction created by the respondent nos.3 and 4 to the road to his land has been rejected and so also the order dated 12/08/2021, passed by the Sub Divisional Officer dismissing the revision.

2. Mr. Malnas, learned counsel for the petitioners contends that on an earlier occasion by the order dated 15/05/2013 the road was found to be in existence and the obstruction created by the respondent nos.3 and 4 was directed to be removed and therefore, there is no reason why the learned Mamlatdar could not find the road again. What is

necessary to note, is that the order dated 15/05/2015 by the learned Mamlatdar (pg.19) was set aside by the Sub Divisional Officer in revision vide order dated 17/06/2017 (pg.21) and while doing so, the Mamlatdar was directed to personally inspect the spot. After remand, the order dated 22/12/2017 by the learned Mamlatdar while answering point no.3, indicates that he had personally inspected the spot on 17/07/2017 and has not found any way on the boundary of Gat Nos.225 and 224. He has also found that the village map also does not indicate any such road, on account of which, the application has been dismissed, which has been confirmed by the learned Sub Divisional Officer.

3. In light of the aforesaid finding, nothing has been pointed out to me to take a view, which would be different from that of the learned Mamlatdar, in view of which, I am not inclined to interfere in the impugned order. The writ petition is dismissed. No order as to costs.

**(AVINASH G. GHAROTE, J.)**