



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

28 WRIT PETITION NO. 2142 OF 2024

SHRI RAM MANDIR VAIJAPUR THR HEREDITARY
TRUSTEE AND ARCHAK JAGDISH RANCHHODDAS
VAISHNAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Yogesh D. Kale
AGP for Respondents 1 and 2/State : Mr. S.K. Tambe

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CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.

DATE :- 26th February, 2024

Per Court :-

1. The Petitioner is a Mandir Trust. The owner of the Petitioner is aggrieved that some private individuals have encroached upon his land. He has requested the Chief Officer of the Vaijapur Municipal Council to initiate action. The purported encroachers are not arrayed as Respondents.

2. This matter clearly has the trappings of a civil dispute between two private individuals. The Civil Court would have jurisdiction to deal with such issues. A Writ of Mandamus, in such circumstances, is not to be issued.

3. In view of the above, **this Writ Petition is disposed off.** If the Petitioner desires to pursue the representation dated 13.09.2023 addressed to Respondent No.3/ Municipal Council, he would be at liberty to do so. If his grievance is not redressed, he is at liberty to approach the Civil Court for appropriate reliefs.

kps

(R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)