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

WRIT PETITION NO. 6090 OF 2024

**MAHATMA PHULE SHIKSHAN PRASARAK MANDAL,
BHADGAON THROUGH ITS SECRETARY DIPAK
SAMBHAJI MAHAJAN**

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

....

Mr Bhushan Mahajan, Advocate for Petitioner;
Mr S. R. Yadav Lonikar, A.G.P. for Respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 26th June, 2024

PER COURT:

1. The Petitioner claims to be occupying the land Gut No.31. It is said that the proprietary rights of the said land are with the State Government. The learned A.G.P. points out from Page No.13 of the Petition paper book, which is a 7/12 extract, that indicates the name of the owner as “Mahatma Phule Shikshan Prasarak Mandal, Bhadgaon, District Jalgaon”, the Petitioner herein. The contention of the Petitioner is that, some adjacent land owner has encroached upon the said land. The name of the

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purported encroacher is Shri. Nana Kashinath Shinde at Bhadgaon and he is not arrayed as a Respondent in this Writ Petition.

2. The dispute before us is that the State Government contends that the Petitioner is the owner of the land and the Petitioner contends that the proprietary rights are with the State Government. The Petitioner complains that the neighbouring land owner has encroached on the said land. This is a dispute between the Petitioner and the said land owner.

3. In view of the disputed questions, this Writ Petition cannot be entertained. **This Writ Petition is, therefore, dismissed.** Liberty to the Petitioner to avail of a remedy, as may be permissible in law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk