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

18 WRIT PETITION NO. 2240 OF 2024

**PRAKASH NAGRAJ PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....
Mr S. V. Suryawanshi, Advocate h/f Mr C. V. Bhadane, Advocate
for Petitioner;

Mr S. K. Tambe, A.G.P. for Respondent Nos.1 to 3

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 11th March, 2024

PER COURT:

1. The Petitioner claims to be residing in City Survey No.463 on the Shindkheda-Dondaicha Road at Village Bamhane, Tq. Sindkheda, Dist. Dhule. The gaathan land is alleged to be a part of City Survey No.463. The Petitioner resides in Grampanchayat House No.613, admeasuring 24.82 Sq.mtrs. It is alleged that, some persons have caused an encroachment in the said City Survey Number. Though the Petitioner is aware of these persons, their names have neither been spelt out in the entire pleadings in the memo of the Petition, nor have they been added

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as Respondents. The grievance is that the said individuals have purportedly blocked the path of the Petitioner.

2. We have perused the sale deed entered into by the father of the Petitioner, with six persons, while purchasing the land. It is apparent from the said sale deed that there are two roads adjoining the property of the Petitioner. The Petitioner claims that, one path is blocked by the purported encroachers. The photographs placed on record on page No.33 indicate a wide clear concrete road and we do not find that the path of the Petitioner is blocked in any way.

3. Be that as it may, if the civil rights of the Petitioner are affected by the purported individual encroachers, the Petitioner can seek redressal of his grievance by approaching the Civil Court.

4. Leaving the said remedy open, **this Writ Petition is disposed off.**

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

sjk

