



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

WRIT PETITION NO. 5454 OF 2024

PRAKASH ROHIDAS TELANGE AND OTHERS

VERSUS

THE SUB DIVISIONAL OFFICER AND OTHERS

...

Mr. Y. B. Bolkar h/f Mr. Eknath G. Irale, Advocate for the
Petitioners.

Mr. P. D. Patil ,AGP for Respondents-State.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 12th JUNE, 2024.

P.C.:-

1. Mr. Bolkar, learned Advocate appearing for the petitioners submits that in fact there was no cart way in existence at any point of time as claimed by the respondents, but it was only a path way that was being used. He would invite attention of this Court to the panchanama, which supports his contentions.

2. *Prima facie*, case is made out for issuance of notice and grant of interim relief. Hence, Issue notice to the respondents, returnable on 24.07.2024. The learned A.G.P. waives notice for respondent nos.1 and 2.

3. Meanwhile, there shall be ad-interim stay to the order impugned in terms of prayer Clause (D). However, the respondent nos.3 to 10/original applicants shall be free to use the disputed customary way as a path way.

**(S. G. CHAPALGAONKAR)
JUDGE**