

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4839 OF 2024

Dundappa Aprai Sankeshwari

... Petitioner

V/s.

Vikas Raoso Jadhav & Ors

... Respondents

SHABNOOR
AYUB
PATHAN
Digitally signed by
SHABNOOR AYUB
PATHAN
Date: 2024.04.15
18:17:36 +0530

Mr. Chetan G. Patil i/by Mr. Mandar G. Bagkar, for
Petitioner.

Mrs. V. R. Raje, AGP for State/Respondent Nos.9 to 11.

CORAM : AMIT BORKAR, J.

DATED : APRIL 15, 2024

P.C.:

1. *Prima facie*, it appears that the petitioner's right of way was recognized by an agreement executed in the year 1944 and corresponding revenue entry to that effect. The Tehsildar accepts petitioner's contention based on the aforesaid agreement and mutation entry. However, the Sub-Divisional Officer has allowed the revision only on the ground of failure to prove obstruction by the plaintiff. Hence, issue notice to respondent Nos.1 to 8, returnable on **24 June 2024**.

2. Until further orders, there shall be ad-interim relief in terms of prayer clause (b).

(AMIT BORKAR, J.)