

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10010 OF 2024

Shobha Dilip Jadhav	...Petitioner
Versus	
Shobha Rangrao Gaikwad And Ors	...Respondents

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Mr. R. M. Haridas i/by Mr. Prasad P. Kulkarni, for the Petitioner.

Mr. K. V. Joshi, A.G.P. for the Respondent – State.

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CORAM	:	AVINASH G. GHAROTE, J.
DATE	:	22nd JULY, 2024

P.C.:

1. Heard Mr. Haridas, learned counsel for the petitioner.
2. The petition questions the order dated 20.05.2024, passed by the learned Sub Divisional Officer (SDO) in revision under Section 23(2) of the Mamlatdars Courts Act, 1906, in which consequent to remand directed by this Court, the same has been dismissed, without rendering a finding as to the existence of a way, to the land of respondent No.1, which is Gat No.225, through the land of Gat No.199/A which belongs to the petitioner.
3. Learned counsel for the petitioner submits that before the learned Mamlatdar, no map was prepared, nor there is any

findings that any revenue records about the existence of the way as indicated above. He further invites my attention to the map at (Page-23) to indicate that a national highway passes in between the land of Gat No.225 as a result of which it is bifurcated into two, which indicates, that throughout approach is available to the land of the respondent No.1.

4. Issue notice for final disposal, returnable on 02.08.2024.
5. Learned A.G.P waves notice for the respondent Nos.2 & 3.
6. Petitioner to serve the respondent No.1 by all modes permissible in law till the returnable date.
7. Till the returnable date, there shall be an ad-interim stay to the order of the learned Mamlatdar dated 05.03.2019.

(AVINASH G. GHAROTE, J.)