



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 5733 OF 2024

(Mohan Shankar Meshram Vs. State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.D. Malke, Advocate for petitioner.

Mr. J.Y. Ghurde, Assistant Government Pleader for respondent Nos. 1 to 3.

**CORAM : BHARATI DANGRE &
ABHAY J. MANTRI, JJ.**

DATED : 30-09-2024

The petitioner must fail on two counts; the first being the petitioner has described himself as a citizen of village Shivapur Bandar and he has not established his locus to raise a challenge to the construction on the site at the instance of respondent Nos. 6 and 7. Apart from this, it is clear that there are several disputed questions of fact and being no power in writ jurisdiction which is a plenary power, we do not deem it appropriate to entertain such questions and the best course available to the petitioner is to file a civil suit wherein he can lead evidence about the alleged encroachment and also about the unauthorized construction that has been carried out.

2. For the aforesaid reason, the petition cannot be entertained and the same stands dismissed deserving the liberty to take appropriate steps as are available in law.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)