



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

Writ Petition No.4603 of 2024

[Shivaji Baliram Tomake and others **VERSUS** The District Collector, Yavatmal
and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's order
Registrar's orders.

Shri V.N. Patre, Counsel for Petitioners.

Shri H.R. Dhumale, Assistant Government Pleader for
Respondent Nos.1 to 3.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : 7th AUGUST, 2024

1. The petitioners are claiming to be the occupants of the land bearing City Survey No.12/3 at Village Chalgani, Tahsil Umarkhed, District Yavatmal. The said land is claimed to be owned by Namdeo Vitthal Kadam and Prakash Vitthal Kadam. It is the case of the petitioners that their long-standing possession is sought to be disturbed by the respondent-Village Panchayat by acting contrary to the provision of Section 50(1) of the Maharashtra Village Panchayats Act, 1959, though the respondent Nos.4 and 5 are not the owners or the occupiers of the said land.

2. Since the petitioners have already approached the Court of Civil Judge, Junior Division, Umarkhed, District Yavatmal in Regular Civil Suit No.81 of 2024 with a prayer for grant of permanent injunction, we deem it appropriate to dispose of the petition as withdrawn, as prayed for by Shri V.N. Patre, learned counsel for the petitioners.

3. The petition is disposed of as withdrawn.

4. We request the Court of Civil Judge, Junior Division, Umarkhed, District Yavatmal to dispose of the aforesaid suit for grant of permanent injunction expeditiously in accordance with law without being influenced by the withdrawal of the petition.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

LANJEWAR