



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 WRIT PETITION NO. 260 OF 2023

RAMESH MOTILAL KUMAWAT AND ANOTHER
VERSUS
THE SUB DIVISIONAL OFFICER BHOKARDAN AND OTHERS

...

Mr. Sandeep N. Lute – Advocate for Petitioners

Mr. Dnyaneshwar R. Korde – AGP for Respondent Nos.1 and 2, State

Ms. Maya R. Jondhale and Kavita R. Jondhale – Advocates for
Respondent No.3

...

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 09.12.2025

PER COURT :

1. Heard learned Counsel for the respective parties.
2. The petitioners challenge the order dated 07.10.2022 passed by the learned Sub-Divisional Officer, Bhokardan, in Revision Application No.50 of 2022, as well as the order dated 14.03.2022 passed by respondent No.2, Tahsildar, Bhokardan, in File No.2020/JAMA-1/CR-68.
3. Learned Counsel for the petitioners vehemently submits that, prior to two years, the respondents had no road in existence and that under the garb of seeking permission to use the way, they are now creating a new way. He invited my attention to the panchanama placed on record and specifically pointed out that the panchanama records that at the time of inspection a statement was made to that effect that, out of love and affection, a foot way was permitted. He further submits that there is no

reference to the existence of a cart way in the survey records and both the authorities failed to consider this material aspect and therefore prays to allow the present petition.

4. Having gone through the orders passed by the learned Tahsildar and the Sub – Divisional Officer and more particularly, the panchanama, I find that the revenue authorities noticed the existence of a cart way and also recorded that there was obstruction to it at the hands of the respondents. Consequently, the obstruction was removed by clearing the cart way. The said order has been confirmed by the learned Sub – Divisional Officer. Upon perusal of the panchanama, it is evident that the learned Tahsildar passed an appropriate order after considering the situation at the relevant time.

5. Therefore, I do not find any reason to interfere with the order dated 07.10.2022 passed by the learned Sub–Divisional Officer, Bhokardan, in Revision Application No.50 of 2022, as well as the order dated 14.03.2022 passed by respondent No.2, the Tahsildar, Bhokardan, in File No.2020/JAMA-1/CR-68, under Article 227 of the Constitution of India.

6. In view thereof, the petition stands dismissed. No order as to costs.

7. Pending Civil Applications, if any, also stand disposed of.

[SIDDHESHWAR S. THOMBRE, J.]