



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**2 CIVIL APPLICATION NO. 537 OF 2025
IN WP/7927/2024**

**EKNATH GAHENAJI WADHEKAR
VERSUS
BABURAO KISAN BOKIL AND OTHERS**

Mr. R. V. Gore, Advocate for the applicant
Mr. B. A. Shinde, AGP for the respondent/State
Mr. P. K. Nikam, Advocate for respondent no.1.

**CORAM : R. M. JOSHI, J.
DATE 22nd JANUARY, 2025**

PER COURT :-

1. This petition was heard substantially on the last date of hearing. In order to resolve the issues with regard to the apprehensions of the applicant and proper execution of the order passed by Tahasildar, the learned AGP was requested to ask the concerned officer to remain present who would be responsible for execution of the said order.

2. Today, Shri. Sanjiv Raut, Nayab Tahsildar, Tahsil Office, Phulambri is present before the Court. He has placed on record sketch indicating the manner in which the order dated 10/11/2022 passed by Tahsildar under Section 5 of the Mamlatdars Court Act. The same is taken on record and marked 'X' for the identification. This sketch is confronted to the learned counsels for the petitioner as well as the

contesting respondent. Both of the them agree, on instructions, that if the order passed by Tahsildar is executed in the manner as shown in the sketch, both parties have no objection/grievance for the same. Shri. Sanjiv Raut undertakes that the order of Tahasildar would be executed in the manner as reflected in the sketch only.

3. In view of this, nothing survives in this petition. Hence, petition stands disposed of in above terms. Pending, application, if any, stands disposed of.

4. Needless to say that the suit filed by the petitioner/plaintiff bearing R.C.S. No. 38/2023 in respect of same subject matter does not survive. Resultantly, the said suit also stands disposed of.

5. In view of this order, the authorities are free to execute the impugned order, as indicated above.

(R. M. JOSHI, J.)

ssp