



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

53 WRIT PETITION NO. 5022 OF 2025

VIJAY ALIAS VIJAY HANUMAN SHEJUL AND OTHERS

VERSUS

GORAKHNATH YADAJI SHEJUL AND OTHERS

Mr. S.V. Dixit, Advocate for the petitioners.

Mr. P.P. Dawalkar, AGP for the respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 23.04.2025

PC :-

01. Heard learned Advocate for the petitioners. It is case of the petitioners that they are owners of land Gat No. 187 from village Sirasgaon, Tal. Partur, Dist. Jalna. The respondents filed application under section 5 of the Mamlatdars' Courts Act, seeking removal of obstruction on the land Gat No. 183. However, in the panchanama, it is stated that the obstruction is on the land Gat No. 187. The Tahsildar has passed order on the basis of panchanama. In the order it is specifically stated that the road is to be given from land Gat No. 183.

02. The petitioners filed revision raising grievance that though the Tahsildar has directed to remove obstruction from land Gat No. 183, the Authorities are still trying to give road from land Gat No. 187, which is stated in the panchanama. Learned Advocate for the petitioners points out that while passing the order, the learned Collector has stated in the order that he is granting order on the basis of panchanama. In the panchanama the land is shown to be Gat No. 187.

03. This Court finds that the apprehension of the petitioners is misplaced. The order of the Tahsildar is clear thereby directing to remove obstruction from land Gat No.183. There is no question of the Authorities to create road from any other land. This Court is, therefore, not inclined to issue notice to the respondents.

04. This Court considered only above submissions of the petitioners and has not touched any other submissions and the petition is being disposed off not on merits.

05. In view of above clarification, the Writ Petition is disposed off as such.

[KISHORE C. SANT, J.]