



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

965 WRIT PETITION NO. 8612 OF 2025

RAMESH RANGNATH KHANDAGALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR AND OTHERS

...
Advocate for the petitioner : Ms. Nikita S. Kirjawalekar h/f. Mr. D.R. Jaybhar
AGP for the respondent – State : Mr. V.M. Kagne
...

**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**

DATE : 17 JULY 2025

ORAL ORDER (PER - MANISH PITALE, J.):

In this petition, we find that the Mamlatdar (Tehsildar) passed an order, rejecting the application filed by the petitioner and one other person, as far back as on 29.05.2012. It appears that the petitioner, after more than 12 years, has filed a proceeding before the Sub Divisional Officer. Although, it is stated to be an appeal, only a revision can be filed under section 23(2) of the Mamlatdar's Courts Act, 1906. There is also application for condonation of delay filed before the Sub Divisional Officer.

2. We are of the opinion that in such circumstances, the petitioner cannot knock the doors of the writ Court, to seek a direction against the respondents no. 2 and 3 for clearing the way to approach

their agricultural lands. The other prayer regarding a direction to the Sub Divisional Officer, to decide the pending proceeding, can also not be entertained, for the reason that the petitioner can very well pursue the proceeding before the respondent no. 3 - Sub Divisional Officer. It is a matter of record that the petitioner did not take any steps against adverse order passed by the respondent no. 2 - Tehsildar for more than 12 years and that the afore-mentioned proceeding along with the application for condonation of delay to institute the same, is pending before the Sub Divisional Officer.

3. We are sure that the respondent no. 3 - Sub Divisional Officer shall proceed strictly in accordance with law.
4. The writ petition is dismissed.
5. We have not expressed any opinion on the merits of the matter.

[Y.G. KHOBRAGADE]
JUDGE

[MANISH PITALE]
JUDGE

arp/