



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9184 OF 2025

Prakash Kawdamal Athwani

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Mohammad Waseemullah Ahmedullah, for Petitioner.
- Mr. V. M. Kagne, AGP for Respondent Nos.1 to 5.

CORAM : MANISH PITALE AND
Y. G. KHOBRADE, JJ.

DATE : 25th JULY 2025.

P. C. :

1. Heard learned counsel for the petitioner.
2. Having perused the documents on record, we find that this writ petition is misdirected.
3. The principal grievance of the petitioner is evident from a communication dated 26th November 2024, placed on record. The petitioner in the said communication addressed to the Collector and others has claimed that there was a civil dispute between the petitioner and the private respondents concerning land. The said dispute in the form of a civil suit culminated in a compromise between the parties. It is the case of the petitioner that when measurement sheet was perused, it was found that the respondents were carrying on

liquor business allegedly from land that actually belonged to the petitioner.

4. We are of the opinion that the genesis of this dispute is indeed a civil dispute. If the petitioner is of the opinion that the private respondents committed fraud upon him, when the compromise was entered into before the Civil Court, an appropriate application could be moved before the very same Court. In the alternative, if the petitioner is of the opinion that the private respondents have encroached upon his land, while carrying on the liquor business, that would be a dispute within the domain of the Civil Court and the Writ jurisdiction can certainly not be invoked for the redressal of grievances with regard to the said dispute.

5. In view of the above, the writ petition is dismissed. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)