



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

934 WRIT PETITION NO. 6510 OF 2025

INDUBAI SURESH BAVISKAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SUB DIVISIONAL OFFICER  
AND OTHERS

...

Advocate for the Petitioner : Mr. P.M. Nagargoje h/f. Mr. V.B. Patil

AGP for Respondent 1/State : Mr. A.R. Kale

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CORAM : ARUN R. PEDNEKER , J.  
VACATION COURT

DATE : 15/05/2025

**PER COURT :-**

1. By this writ petition, the petitioner challenges the judgment and order dated 1.2.2024 passed by the Mamlatdar/Tahsildar, Bhadgaon u/s. 5 of the Mamlatdars Courts Act and also judgment and order in revision dated 11.12.2024 passed by the Sub-Divisional Officer, Pachora.
2. The learned counsel for the petitioner submits that when the revision proceedings was pending before the lower authorities, there was interim protection granted to the petitioner and the matter was finally argued by the parties. However, final order was not served upon the petitioner. The learned counsel submits that the petitioner became aware of the final order only when notice of the execution proceedings was received. The learned counsel submits that at present there is vacation to the civil court and he is not in a position to seek interim order from the Civil Court.
3. The two courts have concurrently held against the petitioner that the pathway has been obstructed by the petitioner. Considering the same this Court would not entertain the writ petition.
4. Considering the submissions made above and without making any

observations on the submissions made, it is directed that the Tahsildar/ Mamlatdar shall not execute the impugned orders for the period of two weeks from today. It is made clear that the above relief is not granted on merits and if the civil suit is filed, the civil court would not be influenced by the observations made in this order and shall decide the same on its own merits. Liberty is reserved to the petitioner to approach the civil court. The writ petition is accordingly dismissed.

**ARUN R. PEDNEKER, J.**

ssc/