



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 WRIT PETITION NO. 6987 OF 2025

SANGAMNATH RAMRAO DESHMUKH
VERSUS
THE DIVISIONAL OFFICER AND OTHERS

...
Advocate for the Petitioner : Mr. Kulkarni Ashutosh S.
AGP for Respondent/State : Mr. K.B. Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.
Dated : September 03, 2025

PER COURT :-

1. By this petition, the petitioner is challenging the order dated 3.2.2022 passed by the Tahsildar/Mamlatdar, Biloli, District Nanded and the order dated 24.7.2023 passed by the Sub Divisional Officer, Biloli, District Nanded, directing the present petitioner to open the road. The Tahsildar has allowed the application filed under section 5 of the Mamlatdars' Courts Act and the appeal filed by the petitioner against the order of Tahsildar before Sub Divisional Officer is dismissed.
2. The findings on facts are recorded in a summary proceedings and as such, this Court would not go into the findings on facts recorded in a summary proceedings. The findings on facts in summary proceedings and the findings are always subject to any order passed by the civil court.
3. In view of the same, the present writ petition is disposed of with liberty to the petitioner to approach the civil court and seek remedy as may be available in law. However, in the interregnum, in the event the impugned orders are not implemented, stay is given to the impugned orders for the period of three weeks so as to enable the petitioner to

approach the civil court. It is made clear that the above directions are not on merits of the matter. In the event, any proceeding is filed before the civil court, the civil court to decide the same on it's own merits without being influenced by the orders passed by this Court or the authorities constituted under the Mamlatdars' Courts Act.

4. Since I have not issued notice in this matter, in the event respondents are aggrieved by this order, they would be at liberty to seek recall of this order.

5. With the above directions, the writ petition is disposed of accordingly.

(ARUN R. PEDNEKER, J.)

ssc/