



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

**WRIT PETITION NO. 10061 OF 2025**

Babu Vithoba Jagale And Others

**VERSUS**

The State Of Maharashtra Through Collector And Others

Mr. S. A. Kulkarni and Mr. R. L. Jakhade, Advocate for petitioners  
Ms. P. R. Bharaswadkar, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &  
Hiten S. Venegavkar, JJ.**

**DATE : 14<sup>th</sup> October, 2025**

**PER COURT :-**

1. Present petition has been filed for directions to the respondent Authorities to decide the representation of the petitioner and measure the land of the petitioners and pass the compensation order.

2. Heard learned Advocate for the petitioners. Petitioners contend that they are the original owners of Gut No. 252 and 253 old Survey No. 93 Situated at Ankulgarani, Tq. Shirur Anantpal, Dist. Latur. It is stated that those lands are situated near Shirol Village Shiv and there was a Pathway from Gut No. 253, 254, 255 towards Manjara River. The petitioners approached concerned Authority regarding the said pathway in question stating that it does not pass through petitioners land Gut No. 252 but the Revenue Officer under the pretext that the relevant

footpath is going through the said land started digging/widening the road of 12 feet and to construct the road. According to the petitioners, the respondent authorities are trying to encroach over their land without issuing any notice and taking any legal step and then false F.I.R has been lodged vide CR. No. 150/2023 registered with Shirur Anantpal Police Station on 29.08.2023.

3. Taking into consideration the contents of the petition as well as documents that have been produced on record, it appears that from the disputed question of fact, the matter is already before respondent authorities and we hope that the respondent Authorities would take the action as permissible in law. If at all the petitioners are of the view that the foot road is only from 253, 254, 255 Gut Nos. and not from 252 then it requires adjudication by the Civil Court or the Mamalatdars Court and not in the writ jurisdiction of this Court.

4. Writ petition stands dismissed.

**(Hiten S. Venegavkar, J.)**

**(Smt. Vibha Kankanwadi, J.)**

B. S. Joshi