



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9492 OF 2025

Shital Sanjay Gaikwad

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Shaikh Mazhar A. Jahagirdar, for Petitioner.
- Mr. S. P. Sonpawale, AGP for Respondent Nos.1 and 2.
- Mr. V. P. Narwade h/f Mr. M. V. Narwade, for Respondent No.3.

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

DATE : 04th AUGUST 2025.

P. C. :

1. This petition is filed seeking a direction against the respondent No. 4 – Gram Vikas Aadhikari of Gram Panchayat, Shrirampur, District Ahilyanagar, to act upon notice dated 24th September 2024, issued under Section 53 of the Maharashtra Village Panchayats Act 1959 against the alleged encroachers.

2. It is an admitted position that one of the alleged encroachers has already filed regular civil suit before the competent Civil Court, wherein the Gram Panchayat as well as the petitioner herein are defendants.

3. It is the case of the petitioner that prayer for temporary

injunction made on behalf of the plaintiff therein is pending.

4. In that view of the matter, we are of the opinion that this writ petition cannot be entertained, while liberty can be reserved for the petitioner to take recourse to available remedies in the pending civil suit.

5. The writ petition is disposed of with liberty to the petitioner to take appropriate steps in the pending civil suit before the competent Civil Court.

6. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)