



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

**CIVIL APPLICATION NO. 15021 OF 2023
IN SA/958/2004**

Tarabai Ratan Nimrot And Ors

VERSUS

Popat Nandram Tatu And Ors

...

Mr. S. A. Dhengle, Advocate for Applicants

Mr. Ajit Gaikwad Patil, Advocate for Respondent Nos.1 and 3

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CORAM : ROHIT W. JOSHI, J.

DATED : 03RD APRIL, 2025

PER COURT :-

. Vide order dated 27.01.2010, this Court has observed that the disputed boundary i.e. Bandh/Dhura was being used as a pathway for approaching the agricultural lands by foot. Having so observed, this Court was pleased to reject the Civil Application.

2. Last two sentences in the order dated 27.01.2010 are required to be interpreted and understood in the context of the observations of the earlier part of the order wherein it is clearly held that the disputed land was not being used as a cartway but only as a pathway i.e. to approach the agricultural lands by walking on foot.

3. In that view of the matter, the Civil Application is disposed of directing that parties will be entitled to use the disputed way as a pathway and not as a cartway.

(ROHIT W. JOSHI, J.)

Rushikesh/2025