



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 WRIT PETITION NO. 12405 OF 2025

GANESH SADASHIV JADHAV AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS DISTRICT
COLLECTOR AND OTHERS

...
Mr. Vikram S. Undre Advocate for Petitioners.
Ms. P.R. Bharaswadkar, A.G.P. for Resp. Nos. 1 to 4.
...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 15th OCTOBER, 2025

ORDER :

1. Heard learned Advocate for the petitioners. It appears that the petitioners have already approached District Judge, Parbhani by filing Miscellaneous Civil Application No.213 of 2024 for condonation of delay and to prefer appeal against the Judgment and decree passed in R.C.S. No.12 of 2014. He submits that respondent Nos. 5 to 7 were the original plaintiffs who had filed suit for partition against respondent No.8, which came to be decreed and during the pendency of the suit, one sale deed and after the decree was passed, another sale deed came to be

executed in favour of the petitioners. Respondent No.8 appears to have filed R.C.A. No.256 of 2024 challenging the same decree. Under such circumstance, when the substantial issue is before the Civil Court, this Court cannot exercise its writ jurisdiction even for issuing directions to the revenue authorities for deciding the objections raised by the petitioners.

2. Learned Advocate for the petitioners now seeks withdrawal of the Petition in view of the observations by this Court. We permit the petitioners to withdraw the Petition to pursue the pending application before the Civil Court. The Writ Petition accordingly stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE