



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

916 WRIT PETITION NO. 13613 OF 2025

GAJANAN RUSTUMRAO KADAM AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. S. P. Katneshwarkar, Senior
Advocate i/b. Mr. Adgaonkar Ravibhushan P
AGP for Respondent/State: Mr. D. R. Korade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 14.11.2025

PER COURT:

1. Heard.

2. The learned counsel for the petitioners submits that the petitioners have received notice dated 31.10.2025 for removal of encroachment. The petitioners are unaware under what provision the said notice is issued. However, he submits that the petitioners have filed a suit for injunction qua the same subject property and the suit is pending for consideration. He submits that the implementation of the notice dated 31.10.2025 be deferred only for a period of two (02) weeks so as to enable him to take appropriate orders from the civil court.

3. Liberty is granted to the petitioners to approach the civil court to apply for urgent interim relief.

4. If such an application for injunction is filed, the civil court may decide the same on its own merits without being influenced by any observations of this court or any other observations by any other authority in pursuance of which the notice is issued.

5. The implementation of the notice dated 31.10.2025 is deferred for a period of two (02) weeks from today.

6. The learned AGP to intimate the concerned authority.

7. With the above observations, the Writ Petition stands disposed of.

[ARUN R. PEDNEKER, J.]

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