

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7250 OF 2025

Davji Maroti Bhandawale

VERSUS

Sk Jafar Sk Ibrahim And Others

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Advocate for the Petitioner : Mr. Bhadekar D.R.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : JUNE 23, 2025

PER COURT :-

1. Heard Mr. Bhadekar, learned advocate appearing for petitioner.
2. Mr. Bhadekar submits that the petitioner is a tenant of the suit property and they are in cultivation since more than 70 years. He would invite attention of this Court to previous litigation wherein there are observations that Maruti i.e. father of petitioner was tenant. This position is not disputed by plaintiffs. Mr. Bhadekar would further submit that now sons of petitioner have been granted houses under Gharkul Yojna and some construction is now being raised. Due to impugned order, now that construction has been obstructed. He would submit that the old dwelling house of petitioner is now in dilapidated condition and therefore, fresh construction has been raised. The tenant is entitled to reside in the land by raising construction for dwelling house and it cannot be injuncted by the Court.

(2)

3. Considering the submissions advanced, issue notice to respondent nos.1 to 6 only, returnable on 21.07.2025.
4. Leave to add prayer. Amendment to be carried out forthwith.

(S.G. CHAPALGAONKAR, J.)

Mujaheed//