



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

1 WRIT PETITION NO. 13622 OF 2025

Dault Madhv Bhakre And Others

VERSUS

Bhaskar Waman Bhakre And Others

...

Advocate for the Petitioner : Mr. Ansari Asfia Nuzhat

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CORAM : ARUN R. PEDNEKER, J.

Dated : December 23, 2025.

PER COURT :-

1. The concurrent orders have been passed by the Tahsildar, Kopargaon and the Deputy Collector, Shirdi, under Section 5 of the Mamlatdar Courts Act and Section 23 of the Act, directing the petitioner to remove the obstruction on the *bandh*. The respondent has been using the said pathway, and the same was found to be obstructed.

2. The orders have been passed by the concerned authorities after conducting spot inspection and drawing a spot panchanama. The orders passed under the Mamlatdar Courts Act by the authorities are expressly made subject to interim or final order that may be passed by the competent Civil Court, by Section 22 of the Mamlatdar Courts Act.

3. Considering the fact that the orders impugned are concurrent in nature, this Court is not inclined to entertain the present Writ Petition. However, liberty is granted to the petitioner to initiate appropriate proceedings before the Civil Court, and seek interim relief, and if proceedings are already initiated, may apply for interim relief in the pending civil

proceedings.

4. In the event the petitioner files appropriate proceedings before the Civil Court and seeks interim relief, the implementation of the orders passed under the Mamlatdar Courts Act shall remain stayed for a period of three weeks from today. The Civil Court shall decide the application for interim relief, if filed, on its own merits and in accordance with law.

5. It is clarified that the interim protection granted herein is not on the merits of the matter, and this Court has not expressed any opinion on the merits of the matter. In view of the above the writ petition is disposed.

6. The parties shall act upon an authenticated copy of this order.

(ARUN R. PEDNEKER, J.)

vj gawade/-.