

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 815 OF 2025
WITH
INTERIM APPLICATION (ST.) NO. 37127 OF 2024**

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Mr Kisan Waman Wadakar Through
Power of Attorney Mr. Kiran Kisan Wadakar ...Petitioner/Applicant
Versus

Nivrutti Genaba Pangare And Ors ...Respondents

Mr. Sachin D. Bagal, for Petitioner/Applicant.

**CORAM: A.S. CHANDURKAR &
M.M. SATHAYE, JJ.**

DATE : 23RD JANUARY 2025

P.C. :

1. In the present writ petition, the Petitioner has arrayed all private parties as Respondents. It is submitted by the learned counsel for the Petitioner that pursuant to illegal entries in revenue record, the Petitioner had filed RCS No.72 of 2014. The suit was however dismissed in default. Proceedings for restoration of the said civil suit are pending. Since the said proceedings for restoration are not being taken up, the present writ petition has been filed seeking prayers made in the civil suit.

2. We do not find that the writ petition in its present form is maintainable under Article 226 of the Constitution of India. It would be necessary for the Petitioner to pursue the civil remedy which he has already invoked. The writ petition and interim application are thus disposed of as not maintainable. It is clarified that the merits of the Petitioner's claim have not been examined.

(M.M. SATHAYE, J.)

(A.S. CHANDURKAR, J.)