

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3188 OF 2025

Arun Baban Pansare .. Petitioner
Vs.
State of Maharashtra,
Through Department of Revenue and Forest and Ors. .. Respondents

Mr. Vivek Patil with Mr. Yogendra Shirwadkar, Mr. Devesh Samant, Ms. Sayli Patil, Mr. Kanhaiya Pagare and Mr. Amol Thorat, Advocates, i/by Vivek Patil & Associates, for the Petitioner.

Mr. P.G. Sawant, Assistant Government Pleader for Respondent Nos.1 to 5.

Mr. S.C. Wakankar, Advocate for Respondent Nos.14 to 17.

Mr. Pritam S. Nigade, i/by Mr. Rajesh Vansare, Advocates for Respondent No.18.

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

DATE : 16TH APRIL 2025.

PC. :

1. In the present writ petition, the Petitioner seeks a direction to Respondent nos.1 to 5 to conduct investigation and enquiry as regards illegal transfer of Mahar Watan lands.

2. We find on a perusal of the writ petition that omnibus and general reliefs have been sought. It is not in dispute that the petitioner's father was plaintiff no.7 in Regular Civil Suit No.210 of 1997 that was filed for partition and separate possession. The said suit was dismissed on 21st

February 2009 which decree is not challenged and has attained finality. Though an order of temporary injunction was granted in Special Civil Suit No.87 of 2018 against the petitioner, that suit came to be withdrawn on 13th September 2022. It is also contended on behalf of the Respondent No. 18 that the 7x12 extract relied upon by the Petitioner is fabricated.

3. We find that number of disputed questions arise for consideration. The rights claimed by the Petitioner can only be adjudicated by availing proper civil remedy.

4. For this reason, we are not inclined to entertain the writ petition. It is accordingly disposed of reserving liberty in favour of the petitioner to avail such available remedies.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]