

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15393 OF 2025

Shashikant Ramdas Jadhav. ... Petitioner.

V/s.

The State of Maharashtra & Ors. ... Respondents.

Ms. Ieecha Pokale, Ms. Shweta R. Rathod i/b. Elixir Legal Services,
Advocate for Petitioner.

Mr. V.G. Badgujar, AGP for Respondent/State.

CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.

DATE : 14th NOVEMBER, 2025

P.C. :

1. This matter was heard for some time.
2. A private dispute between private individuals is sought to be settled by calling upon the Municipal Corporation to take the initiative. Issue is of encroachment over the land of the Petitioner. A multi-storeyed building is constructed and the Petitioner claims that he did not even notice that the construction is being erected by the encroachers on his land. This claim is unbelievable.

3. Moreover, when private individuals have encroached upon private land of another private individual, the Petitioner will have to approach the Civil court to initiate proceedings wherein evidence can be led. A joint measurement of the property, fixing of boundaries, calculating the area of encroachment, removal of encroachment and restoration of the possession of the Petitioner's share of the land, can be ordered by the Civil Court.

3. In view of the above, we do not wish to entertain this Petition, which involves seriously disputed issues.

4. **This Petition is, therefore, dismissed.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)