



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION (WP) NO.28 OF 2025

Mrs Dhanwanta Roshanlal Lilhare

.Vs.

Sub Divisional Officer, Gondia and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr Sumedh Kadam, Advocate for the petitioner
Mr M. J. khan, APP for the State/respondent No.1

CORAM : ANIL S. KILOR, J.
DATED : MARCH 04, 2025.

The learned counsel for the petitioner submits that the Sub Divisional Officer passed the impugned order, after carrying out the spot inspection, under Section 145 of the Code of Criminal Procedure (for short 'the Cr.P.C.') directing the petitioner and respondent Nos. 2 to 4 not to obstruct the natural flow of water running through the fields of the petitioner as well as respondent Nos. 2 to 4 and to remove the obstruction created in its natural flow. It is directed that, while carrying out such work, the petitioner and respondent Nos. 2 to 4 shall not create any hurdle or obstruction in the same.

2. The order of the sub-divisional officer was maintained and confirmed by the revisional Court.

3. It is the case of the petitioner that in absence of any allegations about the breach of peace, action under Section 145 of the Cr.P.C. is unwarranted. However, at the same time, the learned counsel for the petitioner admits that there is a dispute between the petitioner and respondent Nos. 2 to 4 in relation to the lands in question.

4. Considering the fact that there is a dispute between the parties and further the order issued by the sub divisional officer is for a specific purpose, which is certainly in a public interest, I am of the opinion that no interference is required and prayer for quashing of such proceeding cannot be granted.

5. Accordingly, the writ petition is **dismissed**.

(ANIL S. KILOR, J.)