



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 5821 OF 2025

Prashant s/o Prembabu Gedam and Ors.

Vs.

Smt. Megha Rajesh Tabhane and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

None for petitioners.

Mr. Piyush P. Pendke, AGP for respondent Nos.7 & 11/State.

**CORAM : ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.**

DATE : 07.10.2025.

In the present matter following prayers are
sought by the petitioners.

"a) Allow the Writ and be further pleased to Issue Writ of Mandamus with direction to the respondent no.5 to 7 to conduct inquiry in the irregularities committed in respect of demised property i.e. Plot No.94, 95-B, 96, 97 ;

b) Be further pleased to issue Writ of Mandamus of any other appropriate Writ, directing the respondent no.5 to 7 to set aside the regularization of Plot No.94, 95-B, 96 and 97 carried out in respect of demised property;

c) Be further pleased to issue Writ of Mandamus or any other appropriate Writ directing respondent no.5 to 7 to set aside the regularization and sanction of maps in respect of Plot No.94, 95-B, 96 and 97 in respect of demised property, in the interest of justice;

d) Grant stay in the form of ad-interim relief against the respondent no.1 to 7, from taking any action in respect of 94, 95-B, 96, 97 of executing the sanctioned map and carrying out construction over the demised property or creating third party interest, in the interest of justice.”

2. It is apparent from the pleadings in the petition as well as prayers that the petitioners are seeking writ against private persons though in the prayer, the petitioners tried to canvass that the relief sought are against respondent Nos.5 to 7. Since the writ cannot be issued against the private person, a query was put to the learned counsel for the petitioner to that effect on 01.10.2025, when the matter was listed for first time before this Court. The petitioner could not satisfactorily answer the query and he sought time. Accordingly, the matter was adjourned for 03.10.2025.

3. On 03.10.2025 the learned counsel for the petitioner again sought time to satisfy the Court whether such reliefs can be granted against the private party. Accordingly, the matter was adjourned for today. Today in the morning again time was sought and therefore, the matter was kept at 2:30 p.m. i.e. after recess.

4. After recess, when the matter is called out, none appears on behalf of the petitioners.

5. In the circumstances, we are of the considered view that since the writ is sought against private parties, the writ petition is not maintainable. Accordingly, it is dismissed with liberty to file appropriate proceedings before appropriate forum.

(Rajnish R. Vyas, J.)

(Anil S. Kilor, J.)