



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

CIVIL APPLICATION (CAW) No.1689/2025 IN WRIT PETITION STAMP
No.16524/2025

(Digamber Baburao Mhaske Vs.Sub Divisional Officers and others)

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

Court's or Judge's orders.

Mr.Avinash Khande, Advocate for applicant/petitioner.
Ms.Kavita H. Bhondge, AGP for respondent nos.1 and 2.

CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 28th JULY, 2025.

1. Heard Mr. Avinash Khande, learned counsel for the applicant/petitioner and Ms. Kavita Bhondge, learned Assistant Government Pleader for the respondent nos.1 and 2.

2. This is an application for grant of time to file certified copies of the impugned orders. Learned counsel for the applicant submits that now the certified copies are available and he is ready to file the same within a period of two days.

3. In view of above, the application is allowed.

4. The applicant/petitioner is permitted to file certified copies of orders dated 22nd May, 2023 and 2nd May, 2023 on record.

5. Civil Application accordingly stands disposed of.

Writ Petition No.3952/2025

6. Heard.

7. The petitioner's challenge is to the orders passed by the respondents under Mamlatdars' Courts Act, 1906 by which the respondent no.2-The Tahsildar/Mamlatdar has granted eight

feet road from the petitioner's land which is also upheld by the Revisional Authority-respondent no.1-Sub Divisional Officer. The counsel for the petitioner submits that first application filed by the respondents before the Mamlatdar was rejected, however, the matter was remanded by the Revisional Authority to the Mamlatdar. Pursuant thereto, a fresh spot inspection was conducted and the spot inspection report dated 6.4.2023 records that there was no road from Gat nos.182 and 186, which are belonging to the petitioner. He submits that despite this specific observation in the spot inspection report, the Mamlatdar has granted eight feet road from the petitioner's land. He submits that this order is contrary to the purport of the provisions of Section 5 of the Mamlatdars' Courts Act, 1906 and even the Revisional Authority has maintained the impugned order. He also submits that the respondents had, in fact, got a separate road, which runs from their own land which can be used by them and despite that they have insisted for getting the new road from the petitioner's land.

8. In view of this, issue notice to the respondents returnable on 29th August, 2025.

9. Ms.Kavita H. Bhondge, learned Assistant Government Pleader waives service of notice on behalf of the respondent nos.1 and 2.

10. In the meantime, the parties are directed to maintain *status quo* as on today.

(PRAFULLA S. KHUBALKAR, J.)