



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 WRIT PETITION NO. 833 OF 2026

ISSAK LADLESAB SAYYED

VERSUS

SAYYAD FAROOQ SAYYAD MOHAMMAD INAMDAR AND OTHERS

...

Mr. S. A. Deshmukh, Advocate for the Petitioner

Mr. S. R. Yadav-Lonikar, AGP for Respondent/State

Mr. Adgaonkar h/f Mr. V. D. Gunale, Advocate for Respondent No.1

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 25th FEBRUARY, 2026

P C. :-

1. The petitioner takes exception to order dated 25.08.2025 passed by Civil Judge, Jt. Junior Division, Ausa, District Latur below Exhibit 114 in Regular Darkhast No. 26 of 2019, whereby Tahasildar, Ausa is appointed as Court Receiver for inspection, protection and maintenance of suit property.

2. The petitioner was neither party to suit nor he is party to execution proceeding in Regular Darkhast No. 26 of 2019. However, he seeks to assert his right in suit property which is subject matter of execution. Petitioner seeks to challenge order of appointment of Receiver.

3. Mr. Adgaonkar, learned Advocate appearing for respondent No.1 invites attention of this Court to order passed in R.C.S. No. 116 of 2024,

whereby petitioner had claimed his right over suit property, particularly declaration that he is Mutawalli of Dargah and entitled to cultivate suit property. The plaint in said suit has been rejected by order dated 02.12.2024. Mr. Adgaonkar also invites attention of this Court to order passed below Exhibit 86 in R.D. No. 26 of 2019, whereby petitioner's application seeking permission to intervene in darkhast filed below Exhibit 86 has been rejected by order dated 11.02.2025 with costs of Rs.300/-.

4. The aforesaid orders reflects that petitioner has no locus to challenge order of appointment of Receiver or by filing Writ Petition.

5. In that view of matter, Writ Petition stands **rejected**, however, petitioner shall be at liberty to prosecute his own remedies as permissible under law.

(S. G. CHAPALGAONKAR, J.)

ssp