



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

88 WRIT PETITION NO. 7035 OF 2022

MOHINIRAJ RAOJI DOHALE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. B. G. Sagade, Advocate for the Petitioners.

Mr. R. B. Dhaware, AGP for Respondent-State.

...

WITH

CIVIL APPLICATION NO. 7910 OF 2025
IN WP/7035/2022

MOHINIRAJ RAOJI DOHALE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. B. G. Sagade, Advocate for the Applicants.

Mr. R. B. Dhaware, AGP for Respondent-State.

WITH

CIVIL APPLICATION NO. 209 OF 2023
IN WP/7035/2022

MOHINIRAJ RAOJI DOHALE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. B. G. Sagade, Advocate for the Applicants.

Mr. R. B. Dhaware, AGP for Respondent-State.

...

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 26th FEBRUARY, 2026

PC.:-

1. The learned counsel for the petitioners submits that the suit

for declaration and injunction filed in civil court is in respect of the same property, on which access sought was granted by the Mamlatdar under section 5 of the Mamlatdar's Courts Act, 1906 (for short "the Act"). The learned counsel relies upon section 22 of the Act, contending that the orders passed by the Civil Court will have overriding effect on the orders passed by the Mamlatdar.

2. In view of this position of law, this petition is disposed of with direction that the order passed by the Civil Court on the same subject matter would supersede any order passed by the Mamlatdar.

3. All pending civil applications are disposed of.

(SIDDHESHWAR S. THOMBRE, J.)