



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 2491 OF 2026

MUSAKHA KARIMKHA PATHAN

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. K.N. Shaikh, Advocate for petitioner

Mr. R.S. Wani, AGP for State

...

CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.

DATE : 22nd APRIL, 2026

ORDER :

. We are surprised to note that the petitioners have approached directly to this Court seeking the implementation of the order passed by Tahsildar under Section 5(2) of the Mamlatdars' Courts Act. Section 21 of the said Act deals with how to execute the Mamlatdar's decision. Furthermore, when the hierarchy is fixed, the petitioner cannot approach this Court directly. When asked about the same, learned Advocate for the petitioner now seeks withdrawal of the petition.

2 Such abrupt filing of petitions amounts to increasing the

pendency, which should be avoided by the Advocates.

3 On the point of alternate efficacious remedy available, we do not want to exercise our powers under Article 226 of the Constitution of India. The petitioners are allowed to withdraw the petition for pursuing the available legal remedy.

(AJIT B. KADETHANKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd