



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO. 3075 OF 2026

Ram Ashokrao Chaudhari And Ors

VERSUS

The State Of Maharashtra Through Secretary And Ors

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Advocate for Petitioners : Mr. D.P. Palodkar a/w S.S. Khoche

AGP for Respondents: Mr. S R Yadav Lonikar

Advocate for Respondent 7 : Mr. Vikrant Palsikar

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 24, 2026

PER COURT :-

1. Heard Mr. Palodkar, learned advocate appearing for the petitioners. He seeks to correct name of respondent no.4. Permission granted. Correction be carried out forthwith.

2. It is submitted that learned Tahsildar acted upon the application dated 21.8.2024 submitted by respondent no.7 and granted the access way in favour of respondents in exercise of powers conferred under section 5 of the Mamlatdar's Courts Act 1906 (said Act). Perusal of application dated 21.8.2024 depicts that it is not in conformity with provisions of the said Act. It never states about existence of any access particularly from land of petitioners. It does not state about the cause of obstruction at the hands of the petitioners. Learned Tahsildar

appears to have erroneously decided the application and proceeded further to pass the impugned order. The learned S.D.O. has also failed to apply his mind to legal and factual aspect and passed the order.

3. In light of the submissions advanced, issue notice to the Respondents, returnable after six weeks. Learned AGP waives notice for respondent nos.1 to 6. Mr.Palsikar, learned advocate appears on behalf of respondent no.7 and waives notice.

4. Till then, there shall be ad-interim relief in terms of prayer clause “B”.

5. Learned AGP to communicate the interim order passed by this Court to the concerned authority

(S. G. CHAPALGAONKAR, J.)

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