

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7965 OF 2025**

Ambernath Sahakari Samudayik Shetki Society Ltd.Petitioner

Versus

The State of Maharashtra and Ors.

....Respondents

Mr. Rupesh R. Lanjekar for the Petitioner.

Mr. P.P. Kakade, Addl. GP a/w. Ms. P.N. Diwan, AGP for
Respondent No.1.

Mr. Virendra P. i/b. Mr. Balkrishna Joshi for Respondent No.2.

**CORAM : RAVINDRA V. GHUGE
&
ABHAY J. MANTRI, JJ.**

DATE : 9th MARCH, 2026

P.C. :-

1. The land unquestionably belongs to the State. It was given to the Petitioner for the purpose of carrying out farming activities. The resumption order was passed on 15th April, 1983. This was followed by a long litigation between the Petitioner and the State, finally culminating into an order of the LPA Bench, dated 28th January, 2026, by which, the order of resumption passed by the State has been sustained. The Petitioner had carried the said order to the Hon'ble Supreme Court, and the impugned judgment of the LPA Bench is said to have been stayed today in SLP (Civil) Diary No.9569 of 2026.

2. The dispute brought before this Court in this Petition is that Respondent No.5, who is a member of the Petitioner Society, has herself, allegedly encroached upon the land and has laid a cricket turf, and players are now playing cricket thereon.

3. Considering that the Petitioner is a private Society and Respondent No.5 is a private individual, and in view of the internal disputes between the two private parties, we are of the view that this matter cannot be entertained considering Article 12 of the Constitution of India.

4. In view of the above, **this Petition is disposed off.**

5. In the event the Petitioner desires to avail of a statutory remedy against Respondent No.5 by approaching the Civil Court, the disposal of this Petition would not be an impediment, and all contentions are kept open.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)