

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.16131 OF 2025

Dr. Ajit Popatlal DudhediyaPetitioner

Versus

The Grampanchyat, Charholi & Ors.Respondents

Mr. Brijesh Shukla for the Petitioner.

Mr. P.P. Kakade, Addl. GP a/w. Ms. Nisha Mehra, AGP for the
Respondent – State.

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

DATE : 25th MARCH, 2026

P.C. :-

1. On 9th March, 2026, we had passed the following
order :

*1. None present for the Petitioner, either in the
Court Hall or through the video conferencing
mode.*

*2. The Petitioner claims to be a medical
practitioner and alleges that his land has been
grabbed by encroachers, who are erecting illegal
structures on his land. The alleged grabbers are
private individuals listed at Serial Nos.11 to 16.*

*3. The Petitioner has a remedy of approaching the
Civil Court in view of the dispute between the
private individuals.*

4. List this Petition on 25.03.2026 in the urgent supplementary board, for passing dismissal order.

2. We find that the dispute before us is clearly a private dispute between the Petitioner and six private Respondents, who are alleged to have encroached upon the Petitioner's private land. The prayer in this Petition is that the State authorities should assist the Petitioner in recovering the land from the private encroachers and their illegal structures should be demolished by the State Government.

3. We find that this is purely a private dispute between private parties with reference to privately owned land. There is no issue of Government land being encroached upon. The Petitioner has the remedy of approaching the Civil Court by filing a Civil Suit seeking directions for measurement of the land, fixing of the boundaries, measurement of the encroached area, demolition of the encroachment, if it is so noticed, and restoration of possession.

4. The learned Advocate for the Petitioner, on instructions, submits that the Petitioner desires to withdraw this Petition and

approach the Civil Court.

5. In view of the above, **this Petition is disposed off as withdrawn**, on instructions.

6. All contentions of the Petitioner and the stakeholders are kept open in the event the Petitioner approaches the Civil Court, including the issue of title over the Suit property.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)