

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 5017 OF 2026**

Eknath Bhika alias Bakaji Suryavanshi (Bhilla) .. Petitioner

**Versus**

Chitra Surendrasingh Pardeshi and Ors. .. Respondents

- .....
- None for Petitioner.
  - Mr. Babusaheb B. Dahiphale, AGP for the State.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : APRIL 22, 2026.**

**P.C.:**

1. Heard Mr.Dahiphale, learned AGP for the State.
2. Today, when the Writ Petition is called out for hearing, none appears for Petitioner.
3. Petitioner is a tribal as stated in the Writ Petition. Challenge is maintained to the order passed by the Deputy Collector Land Acquisition dated 26.11.2025 under Section 23(2) of the Mamlatdar's Courts Act, 1906 in Revision proceedings. The vahivat case filed by private Respondent was allowed by the Tahsildar under Section 5(b) of the Mamlatdar's Courts Act, 1906.
4. Petitioner being aggrieved filed Revision under Section 23 which came to be dismissed. Hence, present Writ Petition is filed. This Court has repeatedly held that where there are disputed questions of

facts, appropriate course of action despite orders passed in Mamalatdar Court proceedings would be for the parties to approach the Civil Court and file appropriate Exhibit '5' Application seeking injunctive relief in accordance with law law.

5. Petitioner shall consider the aforesaid position accordingly and apprise the Court on the next adjourned date since except the learned AGP who appears for the State and its functionaries who are Respondents before me.

6. Today, Petitioner's Advocate is not present. In that view of the matter, one opportunity is given to Petitioner to remain present before this Court on the next adjourned date.

7. Stand over to 4<sup>th</sup> May 2026.

[ MILIND N. JADHAV, J. ]

Ajay

AJAY  
TRAMBAK  
UGALMUGALE  
Digitally signed  
by AJAY  
TRAMBAK  
UGALMUGALE  
Date: 2026.04.22  
17:46:46 +0530