

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

**INTERIM APPLICATION NO.2105 OF 2026
IN
WRIT PETITION NO.13942 OF 2023
WITH
REVIEW PETITION (ST) NO.29635 OF 2025**

**BASAVRAJ
GURAPPA
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Amit Harshbahadur Thakur

.. Applicant

Vs.

State of Maharashtra & Ors.

.. Respondents

...

Mr. Amit Harshbahadur Thakur, Applicant in-person.

**Mr. O. A. Chandurkar, Additional Government Pleader with
Ms. G. R. Raghuwanshi, AGP for Respondent Nos.1 and 2**

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 4th MAY 2026

P.C. :

This interim application has been filed seeking grant of Certificate under Article 134-A of the Constitution of India to challenge the order dated 26th March 2025 passed in Writ Petition No.13942 of 2023 and order dated 8th January 2026 dismissing the Review Petition (St) No.29635 of 2025.

2 Mr. Amit Harshbahadur Thakur, appearing in-person, submits that the aforementioned orders were passed by this Court ignoring the binding decision of the Court in an arbitrary manner which reflects judicial indiscipline.

3. Article 133 of the Constitution of India provides that an appeal shall lie to the Supreme Court from any judgment, decree or final order in the civil proceedings of a High Court in the territory of India if the High Court certifies under Article 134-A (a) that the case

involves a substantial question of law of general importance; and (b) that in the opinion of the High Court the said question needs to be decided by the Supreme Court.

4. Under Article 134-A of the Constitution of India, every High Court, on its own motion or if an application is made, by or on behalf of a party aggrieved, immediately after the passing or making of such judgment, decree, final order or sentence, determine as soon as may be after such passing or making, the question whether a Certificate under clause (1) of Article 132, or clause (1) of Article 133 or, as the case may be, sub-clause (c) of clause (1) of Article 134, may be given in respect of that case.

5. This application is liable to be rejected for the reason that no substantial question of general public importance arises out of determination in Writ Petition No.13942 of 2023 or Review Petition (St) No.29635 of 2025. For convenience, paragraphs 8 to 10 of the order dated 26th March 2025 are quoted:

“8. Having examined the proceedings and the orders passed therein, we tried to engage with the Petitioner-in-person bringing to his notice pointing out that the reliefs in Writ Petition No.2162 of 2021 cannot be granted as the same would entail a detailed fact finding exercise which can be done by the competent Civil Court. It was also indicated that the Petitioner can resort to remedies under the Criminal law considering the dispute which the Petitioners have with Mr. Dhirendra Pratapsingh Thakur. The Petitioner-in-person insisted that criminality is apparent as there has been a large scale forgery, illegal constructions and apparent collusion between the Respondent authorities especially Respondent Nos.4 and 5 and the Respondent No.2-Dhirendra Pratapsingh Thakur. The affidavit in reply has been filed on behalf of Respondent Nos.1 to 5. This Court in Writ Petition No.13943 of 2023 has observed that the remedy of the Petitioner so far as correction of revenue records is concerned is by way of filing the statutory appeal available to them under Section 247 of the Maharashtra Land Revenue Code.

9. The Petitioners had executed a sale deed in favour of Respondent No.2-Dhirendra Pratapsingh Thakur. There are disputes over possessory rights which the Petitioners claim to have the lands over which the buildings are allegedly construed illegally. The Petitioners allege illegal construction by Respondent No.2-Dhirendra Pratapsingh thakur and unauthorised user of a dirt road by the flat owners as well as Respondent No.2 which

according to the Petitioners factually belongs to the Petitioner No.1. It is alleged that the fencing which was built to restrain the flat owners from using the said road has been illegally removed. This according to the Petitioner is a high-handed action done with the support of the local police and hence inquiry needs to be initiated. These disputes on title, in our opinion, cannot be resolved in a Writ Petition. If it is the case that Respondent No.2 or other authorities have forged documents in respect of a sale transaction between the Petitioners and Respondent No.2, the Petitioners have alternate remedies which they can take resort to. The contention that the buildings are unauthorised because they are constructed on the land belonging to the Petitioners is an aspect, in the facts and circumstances of the case, can best be examined by the competent Civil Court or resort can be had by the Petitioners to remedies available in the Civil or Criminal. It is also open to the Petitioners to approach the competent authorities for taking action. We are not inclined to entertain this Petition to resolve disputes which are private disputes between the Petitioners and Respondent No.2

10. For the reasons aforesaid we are not inclined to entertain these Writ Petitions and the same are dismissed with no order as to costs.”

6. The issue regarding judicial indiscipline or passing of a judgment in breach of natural justice shall not give rise to any substantial question of law. The law is well settled on these aspects. The orders passed by this Court in the afore-mentioned cases are subject to challenge but a Certificate by the High Court can not be granted, having regard to the aforesaid facts and circumstances in the case.

7. For the aforementioned reasons, Interim Application No.2105 of 2026 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]