



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 5350 of 2024

Kamlesh Girdharimal Gulabwani

vs.

State of Maharashtra and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Singh, Advocate for petitioner.

Mrs. S. S. Jachak, Addl. Govt. Pleader for respondent nos. 1 and 2.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.

DATE :- 13th MARCH, 2026.

Heard Mr. Singh, the learned counsel for the petitioner.

2. The petitioner has approached this Court praying for the following relief:

(a) By passing appropriate writ, order, direction and to quash and set aside the resolution dated 24.08.2023 passed by Gram Panchayat, Ratnara (respondent nos. 4 and 5) and the amended work order dated 24.06.2024 issued by Tahsildar, Gondia and Zilla Parishad, Gondia (respondent nos. 2 and 3) and stop the work of construction of godown on the reserved land bearing gut no.233, reserved for grazing of cattle (Annexure-D & E).

3. By virtue of the present writ petition, the petitioner contends that the construction of godown on the reserved land bearing Gat No.233 is illegal and hence it should be demolished by the order of this Court as it is constructed on the land which is reserved for grazing of cattle.

4. Perusal of the record reveals that the petitioner himself on 09.07.2024 had filed a suit bearing Regular Civil Suit No.180 of 2024 before the learned Civil Judge, Junior Division, Gondia for declaration and injunction with a similar prayer clause. Exhibit 5 application

seeking temporary injunction was rejected by the learned trial Court on 05.08.2024.

5. The present petitioner by suppressing all these facts immediately on 28.08.2024 has approached this Court by filing the present writ petition praying for same relief which was rejected by the learned trial Court.

6. In view of above suppression of facts at the behest of the petitioner, we dismiss the present writ petition in limine with costs of Rs.5,000/-(Rs.Five thousand) to be deposited within stipulated period of four weeks from today in the 'Public Welfare Account' bearing No. 129712010001014, IFSC Code No. UBIN0812978 with Union Bank of India, High Court Branch, Civil Lines, Nagpur.

7. It is made clear that if the aforesaid costs is not deposited within the stipulated period, it shall be recovered by the Tahsildar concerned as arrears of land revenue.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Andurkar.