



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAW) NO.166 OF 2026
IN
WRIT PETITION NO.1027 OF 2023 (D)

Narayan Deorao Sarode & Ors. .Vs. Deputy Collector, Murtizapur, Akola & Ors.

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

Court's or Judge's Order

Ms. Mansi Saraykar, Adv. with Mr. R.D. Dhande, Advocate for applicants.
Mr. H.D. Dubey, A.G.P. for non-applicant/State.
Ms. Richa P. Tiwari, Advocate for non-applicant No.3.

CORAM : ROHIT W. JOSHI, J.
DATE : 26/02/2026

1. The present application is filed seeking following clarification with respect to order dated 16.09.2025 passed in Writ Petition No.1270 of 2023 :-

“findings of High Court in the present Writ Petition should not prejudice / influence the Trial Court while adjudicating the Suit”

2. Section 22 of the Mamlatdar's Courts Act, 1906 provides that an order passed by the Mamlatdar operates only till adjudication to the contrary by the Civil Court. In view of the clear mandate of Section 22, the apprehension expressed is misconceived. It must also be stated that this Court has not independently ruled upon the respective rights of the parties and has merely decided the correctness or otherwise of the order passed by the Mamlatdar. It is therefore obvious that the order dated

16.09.2025 passed by this Court in Writ Petition No.1027 of 2023 will not operate as *res judicata* in the civil suit proposed to be filed by the petitioners/applicants.

3. Civil Application is therefore **rejected**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate