

Exh. 16



**BEFORE THE HON'BLE CIVIL JUDGE SENIOR
DIVISION SAONER**

REGULAR CIVIL SUIT NO. 129/2025

PLAINTIFF: Dyaneshwar Deoraoji Bonsule

VERSUS

DEFENDANTS: 1. Nitin Yadavrao Awari

2. Naib Tahsildar

**WRITTEN STATEMENT ON BEHALF OF
DEFENDANT 2**

That defendant no. 2 name above is most humbly and respectfully begs to submits as under:

As to Para no. 1: That, present plaintiff has alternate remedy to file statutory appeal before the learned S.D.O. but instead of filing the said appeal the present plaintiff has filed the present suit for declaration and permanent injunction against defendant. Therefore filing of present plaint is nothing but a gross abuse the process of law and liable to be dismiss with costs. That in

Order
Seen



Digitally
signed by
SANJEEV
AKARAM
SARDAR

CJSD Saoner
03-02-2026

view of Section 158 of Maharashtra Land Revenue Code 1966 and Section 4 of Revenue Jurisdiction Act, the suit against the revenue authority before the Hon'bel Court is not maintainable in law, therefore present plaint is liable to be rejected under Order 7 Rule 11 and the suit is bad for misjoinder of party and liable to be dismiss with costs. That filing of application before the Naib Tahsildar is being a matter of record and passing of order dated 11/08/2024 before the Naib Tahsildar in revenue case no. म.स./प्रस्तु-१/तह.कळमे/कावि-१४०८/२०२५ is being a matter of record.

As to Para no. 2: That said order has been passed by the defendant no. 2 as per provision of law and after taking into consideration the factual material and aspect and also after conducting a spot inspection. Therefore the order passed by the defendant no. 2 is just, legal and proper. That there is no any substance in the contention of the plaint against the defendant no. 2, therefore suit is liable to be dismiss with costs.

As to Para no. 3: The contention of this para is disputed question of fact and the same is already



consider by the defendant no. 1 while passing the said order, therefore the present plaintiff has no right to obstruct the judicial proceeding and therefore the suit is not maintainable in law. All adverse contention hereby denied in toto.

As to Para no. 4: The contention of this para are disputed question of fact and needs to be prove by the present plaintiff by adducing evidence, therefore the suit against defendant no. 2 is liable to be dismiss with costs.

As to Para no. 5: The contention of this para is related to the defendant no. 1. The filing of application by the defendant no. 1 before the defendant no. 2 is being a matter of record. All adverse contention hereby denied in toto.

As to Para no. 6: It is admitted that defendant no. 2 as per the provision of law has issued notice to the all concern parties and conducted spot Panchanama and further directed to the parties concern to submit their written notes of argument. Therefore procedure followed by the defendant no. 2 is just, legal and proper.

As to Para no. 7 wrongly type as 8: The contention of this para is related to the defendant no. 1 and the



present plaintiff has appropriate remedy to file the suit against the defendant no. 1 and not against the defendant no. 2 therefore the suit is not maintainable in law and the same is liable to be dismissed with costs.

As to Para no. 8 wrongly type as 9: That present plaintiff is making false allegation against the defendant no. 2. That defendant no. 2 has followed the procedure as per provision of Mamaltdar Court Act and passed appropriate order. Therefore the said order is just, legal and proper and binding upon the all parties to the suit.

As to Para no. 9 wrongly type as 10: The contention of this para is formal in nature, hence no needs to comment.

As to Para no. 10 wrongly type as 11: The contention of this para is formal in nature, hence no needs to comment.

As to Para no. 11 wrongly type as 12: The contention of this para is formal in nature, hence no needs to comment.

As to Prayer Clause: In view of forgoing submission, the plaintiff is not entitled for any relief as prayed in

prayer clause no. 1 to 4 and the suit is liable to be dismissed with costs.

Hence this written statement.

NAGPUR

DATED: 3rd/02/2026

DEFENDANT NO. 2

COUNSEL FOR DEFENDANT NO. 2

Jyoti D. Jadhav

Adv. Susant T. Bhagat

SOLEMN AFFIRMATION

I, Jyoti Dnyanoba Jadhav

(Defendant No. 2) do hereby take oath and state

on solemn affirmations under:

i. That, I am the Naib Tahsildar presently at Nagpur, ^{Kalmeshwar Tahsil}

I am conversant with the fact of the aforesaid case.

Therefore, I am able to depose to the same.

ii. That, the aforesaid W.S. has been drafted by my counsel as per my instruction and read over me in Marathi and after going through the same, I say and affirm that, the contents of para 1 to 11 above are true and correct to the best of my knowledge and information in so far as they relate to the facts of the case. I also say and affirm that, the legal submission is true and correct

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as per the advice received from my counsel, which believe to be true and correct.

Hence verified and signed this 3rd day of February, 2026 at Nagpur.

I know and identify the deponent.



[Signature]
Advocate
Sushant T. Bhagat

[Signature]
DEPONENT
Jyoti D. Jadhav.

SWORN / SOLEMNLY AFFIRMED
BY Jyoti D. Jadhav

WHO IS PERSONALLY KNOWN
TO ME IDENTIFIED BY self

BEFORE ME THIS THE 03
DAY OF Feb 2026 AT NAGPUR / KALMESHWAR

[Signature] 03/02/26

LANKESH A. GAJBHIYE
NOTARY
NAGPUR DIST. (M.S.) INDIA.

