



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

993 WRIT PETITION NO. 1034 OF 2026

LIMBA MAROTI BAGAL AND OTHERS
VERSUS
MAHENDRA RAMKISAN JAYASWAL AND OTHERS

...

Mr. Pramod C. Mayure, Advocate for the Petitioners
Mr. S. N. Kendre, AGP for Respondent Nos.4 to 6/State

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 28th JANUARY, 2026

P C. :-

1. The Petitioners were Respondents in proceeding initiated under Section 5 of Mamlatdar's Courts Act. The learned Mamlatdar allowed proceeding instituted by Respondent Nos.1 to 3 and directed removal of obstruction on cart way passing through Gut No. 198. Aggrieved, Petitioners filed Revision Application under Section 23(2) of Mamlatdar's Courts Act before Sub Divisional Officer. They have also filed an application for stay to the order impugned. While Revision Application and Application for stay is pending, the Petitioners have been served with notice dated 16.01.2026 issued by Circle Officer, Karmad to execute order passed by the Mamlatdar.

2. In light of submissions advanced, issue notice to the Respondents, returnable on 18th February, 2026.

3. Learned AGP waive service of notice for Respondent Nos.4 to 6/
State.

4. Till the returnable date, no coercive action shall be taken against
Petitioners in pursuance of notice dated 16.01.2026 issued by Circle Officer,
Karmad. It is made clear that pendency of present Writ Petition shall not
operate as an impediment for Sub Divisional Officer to decide pending
Revision Application or Application for stay filed by the Petitioners.

(S. G. CHAPALGAONKAR, J.)

ssp