

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5293 OF 2026

Yogesh Badrinath Dandage And Ors

VERSUS

The Sub Division Officer Paithan And Ors

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Advocate for the Petitioners : Mr. R.R. Karpe h/f Mr. Shinde Sanket
Sunil

AGP for Respondent/State : Ms. R.R. Tandale

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : MAY 08, 2026

PER COURT :-

1. Heard.
2. Issue notice to respondents, returnable on 22.06.2026.
Learned AGP waives notice for respondent nos.1 and 2.
3. Mr. Karpe, learned advocate appearing for petitioners invites attention of this Court to application filed by respondents purported under Section 5 of Mamlatdar's Courts Act and submits that it does not comply procedural requirements of Section 7, 8 and 9 of the said Act. By inviting attention of this Court to panchnama drawn by Tahsildar, he submits that existence and obstruction of customary way is not discernible from panchnama, as claimed by respondents. It is submitted that now, execution of impugned order is proposed on 12.05.2026.
4. In that view of matter, till returnable date, there shall be ad-interim relief in terms of prayer clause (D).

(2)

5. However, petitioners shall not obstruct use of suit way as pathway by respondents.

(S.G. CHAPALGAONKAR, J.)

Mujaheed//