

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8489 OF 2025

Dattatraya Motiram Pote And Others

VERSUS

The Sub Division Officer Shirampur And Others

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Advocate for the Petitioners : Mr. Rahul R. Karpe

AGP for Respondent/State : Mr. K.B. Jadhavar

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : JULY 15, 2025

PER COURT :-

1. Heard Mr. Karpe, learned advocate appearing for petitioners.
2. Issue notice to respondents, returnable on 12.08.2025. Learned AGP waives notice for respondent nos.1 and 2.
3. Mr. Karpe invites attention of this Court to order dated 18.05.2017 passed in Rasta Case No.90 of 2016 by learned Tahsildar, Shirampur wherein applicant therein had claimed existence of road for approaching Gat No.241 from Gat Nos.242 and 247. However, the learned Tahsildar observing that no such road exists rejected the application. Mr. Karpe would further submit that now, respondents have made application for same way. When spot panchnama dated 11.10.2004 was drawn, existence of road was not seen. He would further point out that even from application of respondents, it is discernible that they were using that road prior to 2020.

(2)

4. Considering submissions advanced, case is made out to grant interim relief. Hence, till returnable date, there shall be ad-interim relief in terms of prayer clause (C).

(S.G. CHAPALGAONKAR, J.)