IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4975 OF 2020

Uttam Devram Jadhav and others .. Petitioners

Versus

The State Of Maharashtra And Others .. Respondents

WITH
CIVIL APPLICATION NO. 3387 OF 2021
IN WP/4975/2020

Suresh Mohan Bhujadi .. Applicant

Versus

The State Of Maharashtra And Others .. Respondents

Mr. Shivaji T. Shelke, Advocate for Petitioner.
Mr. A. B. Jagtap, Advocate h/f Mr. Amol S. Gandhi, Advocate for Applicant in C. A. No. 3387/2021.
Mr. K. N. Lokhande, AGP for Respondent Nos. 1 & 2.
Mr. Shahaji C. Nadare, Advocate h/f Mr. R. V. Naiknaware, Advocate for Respondent No. 3.
Mr. S. G. Bhalerao, Advocate for Respondent No. 4.

CORAM : KISHORE C. SANT AND
JITENDRA JAIN, JJ.

DATE : 16th OCTOBER, 2026.

PER COURT :-

1. Heard learned advocate for the petitioners, learned A.G.P. and learned advocates for respective respondents.

2. The only grievance of the petitioners is that their representations made to the learned Collector dated 24.02.2020 are not decided by the learned Collector, Ahilyanagar. The case of the petitioners is that they are the encroachers on the land belonging to Government since 1985. The Government by way of resolution had taken a decision to regularize the encroachers by Government decision dated 06.03.2019. It is the case of the petitioners that still their encroachments are not regularized. The petitioners even submitted reminders, still the Government has not taken decision. Now the petitioners have also taken water connections, electricity collections etc. The Government had also granted grants to construct toilet blocks. Thus, the petitioners have made out a case for regularization.

3. The respondents pointed out that this Court in two public interest litigations bearing P.I.L. No. 7/2016 and P.I.L. No. 92/2016 disposed of both the PILs by common order dated 26.02.2020 dismissing the PILs which were filed based upon the Government decision dated 06.03.2019. It was kept open for the individuals to make applications or to file any other proceedings.

4. Today it is tried to be submitted by learned advocate for

respondent No. 4 that the encroachments are made on the canal land of respondent No. 4 and therefore, the petitioners are not entitled to any relief.

5. This Court finds that, the applications are made before the learned Collector. No satisfactory reason is coming-forth as to why those applications are still not decided by the learned Collector. Considering above facts, the petition is being disposed of by following order :

ORDER

(i) The learned Collector shall decide the representations of the petitioners dated 24.02.2020 by giving hearing and by looking into documents produced by the petitioners. The said decision shall be taken prior to 30.11.2026 in any case. Thereafter it is open for the authorities to take appropriate action.

(ii) The learned Collector to give hearing to all the parties before him.

(iii) The petitioners to remain present before the learned Collector, Ahilyanagar on 22.10.2026.

(iv) Interim protection granted earlier to continue till the

decision by the learned Collector.

(v) The writ petition stands disposed of.

(vi) In view of disposal of the writ petition, civil application also stands disposed of. However, the applicant shall have opportunity to appear before the learned Collector for hearing.

(JITENDRA JAIN, J.) **(KISHORE C. SANT, J.)**

P.S.B.