

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.11474 OF 2015

Prashant s/o Arun Lolge

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.A.P.Bhandari, advocate for the petitioner

Mr.A.R.Borulkar, A.G.P. for Respondents No.1, 2 & 4.

WITH
WRIT PETITION NO.11475 OF 2015

Hindavi Education Trust, Nighoj,
taluka Parner, District Ahmednagar

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.Anil S. Bajaj, advocate for the petitioner

Mr.C.V.Dharurkar, A.G.P. for Respondents No.1 to 5, 8 & 11.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 24th November, 2015**

PER COURT:

1 Respective petitioners contend that in view of the order passed by this Court in PIL No.66 of 2014, construction raised by them over the property belonging to them is being pulled down.

2 It is the contention of petitioners that though they have not encroached over the concerned property and that the title vests in them, they are being removed under the garb of the

orders, referred to above.

3 It would not be appropriate at this stage to enter into the question as to whether petitioners do have title in respect of concerned property. The Tahsildar, who has issued impugned notices on 16.11.2015, shall consider contentions of respective petitioners and only after drawing a conclusion in respect of status of the petitioners as encroacher, it would be permissible for the Tahsildar to take appropriate steps.

4 Till consideration of objection of the petitioners, no coercive action be taken against them.

5 Both the Writ Petitions stand disposed of.

A.I.S.CHEEMA
JUDGE

adb/wp1147415

R.M.BORDE
JUDGE