

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 577 OF 2015**

Rambhau Gangaram Dhajje  
(deceased through LRs)

**.. PETITIONER**

**VERSUS**

The State of Maharashtra  
& others

**.. RESPONDENTS**

Mr. Vivek Bhavthankar, advocate for petitioner.  
Mr. P.P. More, AGP for the State.

**WITH  
WRIT PETITION NO. 578 OF 2015**

Bhiva Natha Awchar

**.. PETITIONER**

**VERSUS**

The State of Maharashtra  
& others

**.. RESPONDENTS**

Mr. Vivek Bhavthankar, advocate for petitioner.  
Mrs. V.A. Shinde, AGP for the State.

=====

**CORAM : R.M. BORDE &  
P. R. BORA, JJ.  
DATE : 23<sup>rd</sup> JANUARY, 2015.**

**PER COURT :**

1. Petitioners are praying for issuance of directions to respondents to act upon the resolution passed by the Gram Sabha on 02.10.2011. The resolution relates to allotment of Government lands to the homeless persons belonging to backward community. Petitioners contend that they are landless persons and are belonging to backward community. They are in

possession of gairan land as encroachers since 1970 and as such in accordance with the Government policy their occupation over the property needs to be regularized.

2. Taking into consideration the nature of demand raised in the petitions, it would be for the Collector and Zilla Parishad authorities to examine whether the demand made by petitioners in the instant petitions and the resolution adopted by the Village Panchayat are in conformity with the judgment of the Supreme Court in the matter of Jagpal Singh and others Vs. State of Punjab and others reported in **(2011)11 SCC 396** and the resolution adopted by the Government concerning allotment of Government gairan lands to homeless persons. We do not propose to express our views on the merits of the demand by petitioners in the instant petitions and leave the matter for consideration to the Collector. In our view, no direction need to be issued in the instant petitions. Petitions are devoid of substance hence stand rejected.

**( P. R. BORA )**  
**JUDGE**

**( R. M. BORDE )**  
**JUDGE**