

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

WRIT PETITION NO.12172 OF 2015

Bhanudas s/o Rakhmaji Sonawane
and others ... PETITIONERS

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri P.S. Dighe, Advocate for petitioners
Shri A.B. Girase, Government Pleader for State
.....

CORAM: R.M. BORDE AND
 A.I.S. CHEEMA, JJ.

DATED: 17th December, 2015.

ORAL ORDER :

1. The petitioners contend that, they are project affected persons and as a rehabilitation measure, some of them or their family members have been allotted the plots which are occupied for residential use. This Court, while dealing with Writ Petition No.25568/2014, directed the respondent authorities to remove encroachments made over the Government land. The petitioners contend that they

cannot be branded as encroachers and without verifying the record, the Block Development Officer has issued the notice directing their eviction.

2. The petitioners have also presented an additional affidavit, wherein it has been stated that some of them are in possession of the plots on the basis of possession receipts issued in their favour or in the name of their family members by Government authorities.

3. The respondents No.2 to 4 shall examine the record with the petitioners and only after satisfying that petitioners are encroachers and not in possession on the basis of authorisation or possession receipts issued by the State Government, then only shall proceed to take appropriate action. The petitioners shall approach the Collector with appropriate representation within two weeks from today. The Collector shall cause an enquiry to be made as directed above, by himself or through his subordinate officer and shall thereafter proceed to take appropriate steps. Until such exercise is complete, no adverse action shall be taken against the petitioners. The petitioners shall approach the Collector within a period of two weeks from today and the Collector shall take further steps in the matter within a period of four

weeks thereafter. On completion of the exercise as recorded above, appropriate steps shall be taken for observing the directions issued by this Court in Writ Petition No.25568/2014, decided on 24.9.2014.

4. Writ Petition stands disposed of accordingly.

(A.I.S. CHEEMA, J.)

(R.M. BORDE, J.)

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