

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 71/2014.

Sudhakar Gulabrao Deshmukh

VERSUS

Gram Panchayat, Ner Pinglai and 3 others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI
& A.P. BHANGALE, JJ.

DATED : JANUARY 22, 2015.

Heard Shri S.R. Deshpande, learned
Counsel for the petitioner, Shri J.B. Kasat, learned
Counsel for respondent no.1 and Shri A.S. Fulzele,
learned A.G.P. for respondent nos. 2 to 4.

Question before this Court is – Whether
petitioner has given an un-conditional admission that
he has encroached upon government land, and
therefore, has sought regularization of its possession ?

The impugned order dated 30.11.2013,

passed by the Additional Collector, Amravati shows said observation in paragraph no.4[1]. In revision, the petitioner appears to have disputed it.

Recording of any finding either way by this Court may prejudice independent appreciation of this question by the revisional authority.

As the revision is pending since December, 2013 and there is also a prayer for stay, we direct the respondent no.2 (Regional Authority) to decide that revision after hearing all concerned, within a period of 8 weeks from the date on which the parties appear. Parties to appear before the respondent no.2 on 16.02.2015.

Till the Revisional Authority decides the revision, parties shall maintain status quo as on today.

With this direction, Writ Petition is partly allowed and disposed of. No costs.

Rgd
JUDGE

JUDGE