

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.5117 OF 2015**Laxman Madhavrao Wange Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Ms.Poonam V.Bodke Patil, advocate for the Petitioner.
 Ms.S.S.Raut, A.G.P. for the State.
 Mr.S.S.Manale, advocate for Respondent No.6.

**CORAM : S.V.GANGAPURWALA AND
 V.K.JADHAV, JJ.**
Date : 07.09.2016.

PER COURT :

1. Heard.
2. Learned counsel for the petitioner submits that petitioner is resident of village Anandwadi. 5 acres of land was donated to the Zilla Parishad for establishing Primary Health Center. According to the learned counsel, encroachment has been made over the area of the land meant for Primary Health Center. The Respondents are not taking any steps to remove the said encroachment.
3. Mr.Manale, learned counsel for the Respondent submits that 3 acres of land was donated. The Primary Health Center is constructed and is run. Two acres of land is transferred to the

original owner. There is no encroachment.

4. We have heard learned A.G.P. also.

5. If according to the petitioner, two acres of land is illegally transferred to the original owner then the said sale transaction will have to be challenged. The petitioner is at liberty to take such steps as may be permissible in law in that regard.

6. As affidavit is filed by Respondent No.6 that no encroachment exist. The Writ Petition is disposed of. No costs.

(V . K . JADHAV , J .)

(S . V . GANGAPURWALA , J .)

Dt.07.09.2016.
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