

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3918 OF 2013

KARBHARI SAKHARAM DABHADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Patil Ganesh S. And A.G.Patil
AGP for Respondents: Mr.V.H.Dighe

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**CORAM : S.V.GANGAPURWALA &
A.M.BADAR,JJ.**

DATED : 16TH FEBRUARY,2016

PER COURT :-

The learned counsel for the petitioners states that the petitioners have given application for regularisation of the encroachment upon Gat No.204 of village Bavne Pangri, Tq. Badnapur, Dist.Jalna, dated in July, 2012, however, no decision is taken upon the same.

2] Mr.Dighe, learned AGP submits that the said land Gat No.204 of village Bavne Pangri is forest land. There cannot be any regularisation of forest land. According to the learned counsel, the petitioners have filed civil suit for injunction and temporary injunction application was allowed, against which the State has filed an Appeal.

3] There cannot be any dispute with the proposition that if

encroachment is caused on forest land, the same can never be regularised.

4] The District Collector shall consider said aspect of the matter, while deciding representation of the petitioners (Exh.F page 42 of the petition) on its own merits in accordance with law.

5] The said representation/application (Exh.F at page 42) shall be decided expeditiously by the Collector, Jalna preferably within nine months. Writ Petition is disposed of. No costs.

(A.M.BADAR,J.)

(S.V.GANGAPURWALA,J.)

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