

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

Writ Petition No. 11954 of 2015

District : Aurangabad

Banjara Vidyarthi Vastigruh,
Banjara Colony, Naik Nagar, Aurangabad,
A registered Public Trust,
Through its President,
Pandit Bhika Jadhav,
Age : 63 years,
Occupation : Business,
R/o. Banjara Colony,
Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Secretary,
Revenue & Forest Department,
Mantralaya, Mumbai.

2. The District Collector, Aurangabad,
Collector Office, Aurangabad,
Taluka & District : Aurangabad.

.. Respondents.

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Mr. P.B. Shirsath, Advocate, for the petitioner.

*Mrs. M.A. Deshpande, Asst. Government Pleader,
for respondent nos.1 and 2.*

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

DATE : 17TH FEBRUARY 2016

COURT'S ORDER *(Per S.V. Gangapurwala, J.) :*

1. Mr. Shirsath, the learned Counsel for the petitioner, states that the respondents are not implementing the order passed by the Hon'ble Revenue Minister dated 11-9-2000. According to the learned Counsel, the said order has become final.

2. The learned Asst. Government Pleader for the respondents, states that the Tahsildar, Aurangabad, has filed affidavit in reply stating that within a period of six months after completing necessary enquiry and after hearing all concerned parties, including the present petitioner, orders would be passed.

3. Para 16 of the affidavit in reply filed by the respondent - Tahsildar, reads as under :-

“ I further say and submit that, the respondent no.2 undertakes to pass appropriate orders in the matter as per the directions of the learned Revenue Minister within a period of 6 months after completing necessary enquiry, with respect to the actual area under construction, actual area under encroachment and actual area permissible for commercial use over the allotted land after hearing all the concerned parties including the present petitioner and the Town Planning Department of the Municipal Corporation, Aurangabad, strictly in provisions of the law. ”

4. We accept the said affidavit as an undertaking to this Court,

that within six months after completing necessary enquiry with regard to the various aspects detailed therein and after hearing all concerned, decision will be taken.

5. In view of the undertaking given on behalf of respondent no.2, the Writ Petition is disposed of. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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