

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

WRIT PETITION NO. 1492 OF 2016

UMESH KALYANRAO BODKHE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr Hajare Abhishek M.
AGP for Respondents: Mr K N Lokhande

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CORAM : R. M. BORDE & V. K. JADHAV , JJ.
Dated: October 03, 2016

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PER COURT :-

1. In the affidavit-in-reply presented on behalf of the respondents No.2,3 and 4, it is stated that the plots bearing No.118 and 119 at village Antapur, Tq. Kannad, District Aurangabad have been allotted to the petitioners. However, at the stage of conducting spot inspection, it is revealed that, respondents no.7 and 8 are possessed the aforesaid plots in their capacity as encroacher. The respondent No.5-Tahsildar, Kannad has been directed to remove the encroachment, who has, in turn, issued notices to respondents no.7 and 8 for removal of encroachment. It appears that, respondent No.5 Tahsildar has not taken further steps for removal of encroachment and, in respect of handing

over the plots to the petitioner.

2. We direct the respondent No.5 - Tahsildar to remove the encroachment over the plots allotted to the petitioners, as expeditiously as possible, preferably within a period of THREE MONTHS from today, and, hand over the vacant possession of the plots to the petitioners.

3. With the directions as above, writ petition is disposed of. No costs.

(V.K. JADHAV, J.)

(R. M. BORDE, J.)

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aaa/-