

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.12 OF 2015

Shaikh Sameer Rashid & Another

Petitioners

Versus

The State of Maharashtra and others

Respondents

Mr. N.K. Tungar, Advocate for Petitioners

Mr. A.R. Kale AGP for Respondent State

Mr. S.S. Dambe Advocate for Respondent No.6

Mr. G.G. Kadam Advocate for Respondent No.9

Mr. A.Y. Pandule Advocate for Respondent No.7

Mr. V.D. Salunke Advocate for Respondent No.10

CORAM : R.M. BORDE &

P.R. BORA, JJ

(Date : 22nd March, 2017.)

PER COURT :-

1 It is informed that, the Village Panchayat is now converted into Nagar Panchayat and said Nagar Panchayat is represented by respondent No.26 Chief Officer. The petitioners are making allegations in respect of commission of encroachment over the property, belonging to erstwhile Grampanchayat, the possession of which might have been handed over to Zilha Parishad.

2 It would be open for the petitioners to tender an application to the Chief Officer of the Nagar Panchayat for taking steps in respect of removal of encroachment. Respondent No.26 in concurrence with the holder of the property and after observing the procedure prescribed under law, may take appropriate steps as permissible. It would be open for the petitioners to tender an application to respondent No.26 within a period of four weeks from today. On tendering of such application, respondent No.26 may take appropriate steps as specified above as expeditiously as possible.

3 With the directions as above, the PIL stands disposed of.

4 Out of the amount of Rs.25,000/- deposited by the petitioners in this Court in pursuance to the directions issued by us earlier, with the consent of the petitioners, Rs.10,000/- shall be transferred to the account of Library of Advocates Association of Bombay High Court, bench at Aurangabad and balance of Rs.15,000/- shall be refunded to the petitioners.

(P.R. BORA, J)

(R.M. BORDE, J)