

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

909 WRIT PETITION NO.5912 OF 2019

**ANKUSH MANSING PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioners : Mr. M.D.Narwadkar h/f Mr. Thombre C.V.
AGP for Respondents-State : Mr. P N. Kutti.

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**CORAM : S.V. GANGAPURWALA AND
AVINASH G. GHAROTE, JJ.**

DATE : 11.12.2019

PER COURT :-

1. Mr. Narwadkar holding for Mr. Thombre, the learned counsel for the petitioners submits that the petitioners are occupying land survey No.59 on the basis of Kabala. The order in PIL No. 146 of 2016 dated 01.03.2017 is with regard to land Survey No.60. The notices are issued to the petitioners on the ground that petitioners are encroachers over the said land. The objections are not considered.

2. If the petitioners have raised objection regarding their possession over land Gut No.59 and that petitioners are not situated in survey No.60 and if the petitioners are claiming their possession pursuant to legal document then naturally the objection raised by the petitioners will be required to be considered and dealt with by

the authority. The authority shall take decision upon objection of the petitioners (page No.46) on its own merits, preferably within a period of three (3) months.

3. The Writ Petition is disposed off. No costs.

(AVINASH G. GHAROTE, J.)

(S.V. GANGAPURWALA, J.)

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vmk/-