

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

WRIT PETITION NO. 10187 OF 2019

Trimbak Ankush Dande

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mrs. Sanghmitra Wadmare, Advocate for the Petitioner.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 19TH AUGUST, 2019.

FINAL ORDER :

. The learned counsel for the petitioner submits that, twice panchanama has been conducted, however, respondents are not taking steps to regularize the encroachment of the petitioner over the gayran land.

2. The learned Assistant Government Pleader accepts notice for all respondents and submits that, encroachment now cannot be regularized in view of the judgment of the Apex Court in a case of Jagpalsing and others Vs. State of Punjab reported in (2011) 11 SCC 396 and the Government Resolution dated 12th July, 2011.

3. The petitioner has not filed any application for regularization of the encroachment as yet with the competent authority. The petitioner if so advised may file an application for regularization of the encroachment with the competent authority. The competent authority shall take decision upon the said application in accordance with law and policy.

4. In view of the above, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb / August 19