

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

58 WRIT PETITION NO.12866 OF 2018

NANASAHEB KHUSHALRAO GADHAVE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Vaibhav S. Deshmukh, Advocate for the
Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

Mr. Shivaji T. Shelke, Advocate for Respondent
No.3.

Mr. Vithal H. Dighe, Advocate for Respondent No.4.

Mr. Majit S. Shaikh, Advocate for Respondent No.5.

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

DATED : 28th JANUARY, 2019.

PER COURT:-

1. We have heard the learned counsel for the parties.

2. The petitioner can move the Collector for disqualification under the provisions of the Maharashtra Village Panchayat Act, 1958, if the respondent has encroached upon the Government land.

3. As far as removal of encroachment is concerned, respondent no.3 can take appropriate steps, in case there is an encroachment.

4. The respondent no.3 shall look into the same and take appropriate steps, if it is found that, there is an encroachment.

5. The respondent no.2 also may initiate necessary step, if in case, it is found that there is an encroachment on the Government land.

6. Writ Petition is disposed of. No costs.

(A. M. DHAVALA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE