

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

1025 WRIT PETITION NO.13093 OF 2018

SIDDHI FASHAT HUSAIN SIDDH BHAKAR HUSAIN
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS

...

Advocate for Petitioner : Mr. A.V. Indrale Patil h/f. Suryawanshi Avinash
AGP for Respondents/State : Mr. S.N. Morampalle

...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 31.07.2019**

P.C. :-

Mr. Patil the learned counsel for the petitioner submits that illegal excavation has been done by the contractor from the land of the petitioner. As per Section 48(4) of the Maharashtra Land Revenue, 1996 the petitioner has approached the Collector for compensation. The Collector had directed the Tahsildar to make an inquiry and submit a report. A Panchanama has been made by the revenue authorities, however no decision has been taken yet.

2. The learned A.G.P. submits that affidavit is filed by the Naib Tahsildar to the effect that it is not clear that sand excavation has been done in the petitioner's land. The petitioner may get his land measured, fix the boundary and then only further steps can be taken.

3. Considering the above we pass the following order:

ORDER

- i) The petitioner may get the land measured.
- ii) If the petitioner files an application then the office of the T.L.R. shall measure the land as per the application of the petitioner.
- iii) The Collector shall on receipt of the measurement report take decision upon the complaint of the petitioner in accordance with law preferably within three months from the date of receipt of measurement report.
- iv) Writ petition accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]