

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

WRIT PETITION NO. 12648 OF 2018

Balasaheb Kundlik Ambad
and another

.. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Arun V. Rakh, Advocate for the Petitioner.

Shri K. B. Jadhavar, A.G.P. for Respondent Nos. 1 to 4.

Shri P. N. Nagargoje, Advocate for the Respondent No. 7.

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

DATE : 04TH MARCH, 2019.

FINAL ORDER :

. The petitioner has sought directions against the respondents to remove encroachment over the gayran land gut No. 143 situated at village Ladegaon, Tq. Kaij, Dist. Beed.

2. Affidavit is filed by the Incharge Tahsildar, Kaij. Para Nos. 6 and 7 of the affidavit reads thus :

"6. I say and submit that the villagers from village Ladegaon filed applications before Respondent No. 3 regarding removal of encroachment and thereafter Respondent No. 3

issued directions to Respondent No. 4 to do the needful. It is humbly submitted by these respondents that they have taken timely action on the representation of the villagers and no inaction on the part of these respondents as alleged.

7. I say and submit that, as per G. R. dt. 11.07.2011 it is the duty of the Gramsevak of Gram Panchayat, Ladegaon to take necessary steps for removal of encroachment over land Gut No. 143. As per the Government Resolution and provisions of the Law the present Respondent no. 3 Tahsildar, as well as District Administration are ready to co-operate with the Grampanchayat for removal of encroachment. The Grampanchayat has to remove encroachment at itself has encroached upon its land without permission."

3. In view of the affidavit filed, the Gram Panchayat and the Gram Sevak of village Ladegaon, Tq. Kaij shall take necessary steps and the respondent No. 3 as well as the District administration shall co-operate as undertaken in the affidavit in reply filed. The steps shall be taken by the Gram Sevak and the Gram Panchayat expeditiously.

4. It is submitted by the learned counsel appearing for the Gram Panchayat that, within a period of two (02) months from today steps would be taken. In view of the statement made, no

further orders are required to be passed. The writ petition is disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb / March. 19