

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

WRIT PETITION NO.3161 of 2019

EKANATH GOPALRAO HARBADE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Ravindra Nirmal, Advocate for the petitioners
Mrs. M.A. Deshpande, AGP for the respondents/State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 08.03.2019

PER COURT :-

1. Heard learned counsel for the petitioners.
2. On the backdrop of the prayer wherein the petitioners pray for directions to the respondent-Authorities and particularly respondent Nos.2 and 3 before whom representation is submitted to decide the representation expeditiously, the petition is taken up for disposal at the admission stage.
3. Issue notice to the respondents, returnable

forthwith. Learned AGP waives service of notice for all the respondents.

4. Copy of the representations are placed on record at page 14, 15 and 16 respectively submitted to the Tahasildar, Manwat and the Collector, Parbhani respectively. It is stated in these representations that the petitioners are occupied the Government gairan lands since 1985 and they are earning livelihood by taking crops i.e. by agricultural activity in the land. It is stated that there are various resolutions for regularization of the encroachment over the land. The petitioners are in possession of the documents to show that they have been occupying the lands since 1985 and on the basis of the documents the authority can take appropriate steps and issue orders whereby the petitioners could get the benefit of the ownership of land.

5. These representations are of year 2015 and 2018. The latest representation to the Collector is of 04.12.2018. In view of these facts, we direct respondent

No.2 the Collector, Parbhani to decide the representation dated 04.12.2018 on the merits of the representation and in case the Collector is of opinion to provide opportunity of hearing to the petitioners, the Collector, Parbhani may provide such an opportunity to the petitioners. The Collector, Parbhani to complete the exercise of calling the record and hearing the parties, in case required and pass appropriate orders on the representation dated 04.12.2018 within 16 weeks from the date of order of this Court.

6. With the above observations, the petition is disposed of.

[S.M.GAVHANE,J.]

[PRASANNA B. VARALE,J.]