

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10361 OF 2019

Shri. Bhagwat Maruti Mane & Anr.

..Petitioners

Versus

The State of Maharashtra & Ors.

..Respondents

Mr. Sharad T. Bhosale, Advocate for the Petitioners.

Mr. Y. S. Khochare, AGP for Respondent Nos.2 to 11.

Mr. G. N. Salunkhe i/by Mr. Umesh Kurund, Advocate for Respondent No.6.

CORAM : PRADEEP NANDRAJOG, C.J. &

SMT. BHARATI DANGRE, J.

DATE : 22nd JANUARY, 2020

P.C.

1] Heard learned counsel for the parties.

2] The case of the Petitioners is that land comprised in City Survey No.624 situated at village Manegaon, Taluka Madha, District Solapur is recorded as government land and reserved for grazing. The grievance is that not only the 7th Respondent but even other persons have encroached upon said land without any authority of law and post encroachment have effected illegal constructions thereby depriving the residents of the village to graze their cattle on the land in question.

3] Learned counsel for the State submits that as per Section 53 of the Maharashtra Land Revenue Code, 1966 the Collector has to

ensure that government land is kept free from encroachment and if any encroachment is noted to take action by putting the encroacher to a notice and after hearing encroacher an order has to be passed and the encroachment has to be removed.

4] Under the circumstances, we dispose of the Writ Petition directing the Collector, Solapur i.e. 2nd Respondent to treat the Writ Petition as a representation to him and take action as contemplated by Section 53 of the Maharashtra Land Revenue Code, 1966 within a period of twelve weeks from today.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE