

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8920 OF 2019

Ananda Sakharam Jadhav

...Petitioner

vs.

Gram Panchhayat Koyna Vasahat

...Respondent

B. R. Deshmukh for the Petitioner.

Mr. Rushikesh C. Barge for the Respondent.

Ms. K. M. Solunke, AGP for the Respondent/State.

**CORAM : B. P. DHARMADHIKARI,
ACTING CHIEF JUSTICE &
N. R. BORKAR, J.**

DATE : 25/02/2020.

PC.:

. Petitioner has approached this court with contention that one Neelakshi Nanasau Patil, who happens to be the President of Co-operative Society has encroached public road and raised construction. On grievance made by the Petitioner, notice under section 52 and 53 of Maharashtra Village Panchayat Act 1958 was served upon said lady on 25/5/2018 but no action has been taken.

2. Learned counsel for respondents has produced a true copy of Resolution of Gram Panchayat dated 29/4/2019. Said Resolution No.6/13 is taken on record as Exhibit "A" . It shows that the Gram Panchayat has already resolved to implement its notice and there is also reference to order in Writ Petition No.121/2008. However, it appears that despite this Resolution, the sarpanch and gram sevak have not taken any further appropriate steps.

3. We find this defence of Gram Panchayat unacceptable. Law gives powers to Gram Panchayat and for that purpose it can also obtain police protection and it can also approach the State Government for necessary assistance.

4. However we notice that lady who is alleged to have raised unauthorized construction is not party before this Court.

5. We therefore direct Respondent/Gram Panchyat to initiate action against structure raised by said lady in accordance with law and complete it in next 6 months.

6. With this direction and keeping all contentions of parties open, we dispose of the petition.

(N. R. BORKAR, J.)

(ACTING CHIEF JUSTICE)