

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

**WRIT PETITION NO. 304 OF 2022**

Ashok Raghu Nehe  
and others

.. Petitioners

Versus

The State of Maharashtra and others

.. Respondents

Mr. V. D. Sapkal, Senior Advocate i/by Ajeet B. Kale, Advocate for the  
Petitioners.

Mr. A. R. Kale, AGP for Respondents/State.

**CORAM : S. V. GANGAPURWALA &  
S. G. DIGE, JJ.**

**DATED : 06<sup>th</sup> JANUARY, 2022.**

**PER COURT:-**

. We have heard Mr. Sapkal, learned senior counsel for the  
petitioners.

2. The learned senior counsel for the petitioners submits that the  
notices are issued on 24.12.2021 to the petitioners for removal of  
encroachment. The Grampanchayat has passed the resolution in  
consonance with the Government Resolution dated 16.02.2018 of  
providing double area of the land on which the petitioners are  
occupiers. The said proposal is pending with the Collector. The  
Collector be directed to decide the proceedings. Till then, demolition  
be stayed.

3. The learned A.G.P submits that this Court under order dated 29.10.2021 in Public Interest Litigation No. 35 of 2021 with Writ Petition No. 6487 of 2021 and other connected writ petitions had passed the order directing removal of encroachment. Many of the petitioners herein were also party in the said writ petitions.

4. In the wake of the order dated 29.10.2021 in Public Interest Litigation No. 35 of 2021 with Writ Petition No. 6487 of 2021 and other connected writ petitions, it will not be possible to accede to the submission of the learned senior counsel for the petitioners so far as prayer clause (B) is concerned.

5. As far as prayer clause (C) is concerned regarding directions to the Collector to decide the proposal submitted by the Grampanchayat Dhondewadi, Taluka Kopargaon, Dist. Ahmednagar, the Collector may consider the same in accordance with policy of the State Government and take decision upon it expeditiously and preferably within a period of four (04) weeks from today.

6. Writ petition is disposed of. No costs.

**( S. G. DIGE )**  
**JUDGE**

**( S. V. GANGAPURWALA )**  
**JUDGE**

RS.B.