

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.3850 OF 2020

BABAN SUKHDEO GAIKWAD AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioners : Mr. G.N. Chincholkar  
AGP for Respondent/State : Mr. A.S. Shinde  
...

CORAM : MANGESH S. PATIL AND  
Y. G. KHOBRAGADE, JJ.

DATE : 14.12.2022

PER COURT :

Heard.

2. The petitioners are seeking regularization of their encroachment over the Government Gairan Land pursuant to the Government Policy. Learned advocate Mr. Chincholkar points out that the process was initiated way back in the year 2005 and even the Collector had directed the respondent Tahsildar by communication dated 14.07.2005 (Exhibit-C) to undertake necessary process. There are certain other correspondence *inter se* between the respondent authorities in tune with the earlier directions, by correspondence dated 15.09.2008 (Exhibit-D) and dated 23.01.2013 (page No.29) and even thereafter. He submits that the process has not been taken to the logical end in spite of lapse of several years.

3. We dispose of the writ petition by directing the respondents to take appropriate decision in tune with the Government Policy and in the

light of the decision in the matter of **Jagpal Singh and Ors. Vs. State of Punjab and Ors.**; (2011) 11 SCC 396 as also decision of Division Bench of this Court in Suo Motu PIL No.2/2022 (**High Court on its own Motion Vs. The State of Maharashtra and others**) at the earliest and in any case within six weeks.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

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