

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO.11940 OF 2021

UTTAM ANNA FULARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. G.N. Chincholkar
AGP for the respondent – State : Mrs. M.A. Deshpande
...

**CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.**

DATE : 6 DECEMBER 2022

PC :

Heard the learned advocate for the petitioner and the learned AGP.

2. The petitioner is seeking regularization of encroachment over the Government land Gat no. 26 of Virgaon, Taluka – Vaijapur, District – Aurangabad.

3. Learned advocate for the petitioner submits that though the petitioner is not in possession of the original application or its copy, the internal communication between the Tahsildar – Vaijapur and Sub Divisional Officer, Vaijapur dated 31-05-2016 (Exhibit “D” page 29) is indicative of the fact that the petitioner did submit that application for regularization of his alleged encroachment which was objectively

scrutinized by the Tahsildar and recommended its regularization by that communication.

4. We dispose of the writ petition by directing the respondents to decide the petitioner's application as mentioned in the communication dated 31-05-2016 (Exhibit – D), if it has already not been decided in accordance with the Government resolution issued from time to time and decision of the Supreme Court in the matter of ***Jagpal Singh and others Vs. State of Punjab and others; (2011) 11 SCC 396*** as also decision of Division Bench of this Court in Suo Motu Public Interest Litigation No. 2 of 2022 (***High Court on its own Motion Vs. The State of Maharashtra and others***) as per order dated 06-10-2022 as early as possible within three months from today.

[Y. G. KHOBRADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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