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

930 WRIT PETITION NO.6503 OF 2022

SANJAY RAMANLAL SHAH AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr Rajendra Deshmukh, Senior Advocate i/b Mr C. T. Jadhav,  
Advocate for petitioners;  
Mr S. G. Karlekar, A.G.P. for respondent Nos.1 to 3, 5 & 6

**CORAM : RAVINDRA V. GHUGE  
AND  
ANIL L. PANSARE, JJ.**

**DATE : 12th July, 2022**

**PER COURT:**

1. The petitioners have put forth prayer clauses (B) and (C),  
which read as under :-

*“B) All Respondents authorities may kindly be directed to remove the encroachment made within the building line and control line of State highway no. 6 (SH6- i.e. Nandurbar to Jalgaon) passing through village Sindhkheda more particularly northern side of the road adjacent to the gut no. 1192/1A, 1192/1B and 1192/ 2A, which is frontage of the petitioners’ property, by issuing writ of mandamus or any other appropriate writ or directions as the case may be.*

*C) It may please be directed to the respondent no.1 i.e. The Secretary, Urban Development department to conduct enquiry against the respondent no. 4 i.e. C.O., Nagar Panchayat Sindhkehdha on account of inaction to remove the encroachment more particularly from the*

(2)

*Building line and control line of State Highway no.6 passing through Village Sindhkheda (i.e. Virdhel Road) adjacent to the gut no. 1192/1A, 1192/1B and 1192/ 2A, which is frontage of the petitioners' property gut no.1192, by issuing necessary writ or directions as the case may be."*

2. The learned A.G.P. has appeared on behalf of respondent Nos.1 to 3, 5 and 6.

3. On instructions from respondent No.5, who is present in the Court, the learned A.G.P. submits, that there are certain encroachments, which have been noticed and by identifying the areas and magnitude of the encroachments, the Statutory Authorities would follow the due procedure laid down in law, and by issuing notices to the concerned individuals, and by affording them an opportunity of hearing, the endeavour would be made to remove the encroachments, by 20/10/2022.

4. In view of the above, this petition is disposed off, by recording the statement of respondent No.5. A compliance report would be submitted to this Court in the third week of November 2022.

**(ANIL L. PANSARE, J.)**  
sjk

**(RAVINDRA V. GHUGE, J.)**