

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11602 OF 2022

Shrikant Dattatray Deshmukh and others. ... Petitioners.
V/s.
The District Collector, Satara and others. ... Respondents.

Mr.Dilip B. Shinde for the Petitioners.
Ms.M.S.Bane, AGP for the State.

SANJAY
KASHINATH
NANOSKAR

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SANJAY KASHINATH
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**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 11 November 2022.

P.C. :

Heard the learned counsel for the parties.

2. The Petitioners have sought a direction for removal of encroachment on land Gat No.880/1 situated at village- Vikhale, taluka- Khatav, district- Satara. The learned counsel for the Petitioners states that the Petitioners are residents of the village and, therefore, are interested in ensuring that unauthorized construction over the government land is removed. As regards the status of the Petitioners is concerned, we are informed that the Petitioner No.1 was the Sarpanch of the said village earlier. If the Petitioner was Sarpanch of the said village where the unauthorized construction has taken place, the question arises that when the

Petitioner No.1 was given opportunity to do public work as Sarpanch what action he took against the said unauthorized construction. No such action is shown to be taken by the Petitioner No.1. Therefore, this creates doubts about the *bona fides* of the Petitioners of now filing this petition after Petitioner No.1 ceased to be a Sarpanch. Therefore, we do not recognize any locus of the Petitioners.

2. All that we observe that if there is any unauthorized construction on the government land, it is the matter of the Tahasildar and the District Collector to look into, who is under duty to do so. With this observation, writ petition is disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)