

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.8513 OF 2019

1. Ramesh S/o Shriram Suradkar
Aged about 62 years,
Occ. Agriculturist
2. Sudarshan S/o Pralhad Suradkar,
Aged about 52 years,
Occ. Agriculturist
3. Madhukar S/o Bhakar Gawai,
Aged about 62 years,
Occ. Agriculturist
4. Shalikram S/o Punjaji Suradkar,
Aged about 52 years,
Occ. Agriculturist
5. Baban S/o Pralhad Ambhore,
Aged about 40 years,
Occ. Agriculturist
6. Dilip S/o Narayan Sonone,
Aged about 55 years,
Occ. Agriculturist
7. Suresh S/o Tulshiram Kamble,
Aged about 40 years,
Occ. Agriculturist
8. Arun S/o Shriram Suradkar,
Aged about 55 years,
Occ. Agriculturist
9. Madhukar S/o Vishwanath Suradkar,
Aged about 62 years,
Occ. Agriculturist
10. Gokarnabai wd/o Chokharam Suradkar,
Aged about 60 years,
Occ. Agriculturist
11. Udyasing S/o Namdev Jadhav,

Aged about 45 years,
Occ. Agriculturist

12. Vatsalabai wd/o Ramrao Chavhan,
Aged about 45 years,
Occ. Agriculturist

All resident of Pimpalgaon Chambhare,
Tah. Barshitakli, District Akola

... Petitioners

-vs-

1. State of Maharashtra,
Through its Secretary,
Revenue and Forest Department,
Mantralaya, Mumbai - 32

2. Collector, Akola,
Tah. And District Akola

3. Tahsildar Barshitakli,
District Akola

... Respondents.

Shri O. Y. Kashid, Advocate for petitioners.

Smt H. N. Jaipurkar, Assistant Government Pleader for respondents.

CORAM : A. S. CHANDURKAR AND PUSHPA V. GANEDIWALA, JJ.

DATE : February 08, 2022

Judgment : (Per : A. S. Chandurkar, J.)

In view of notice for final disposal issued earlier, the writ petition is taken up for hearing by issuing Rule and making the same returnable forthwith.

Heard.

The petitioners have approached this Court seeking a direction that they may be permitted to continue their occupation of E Class lands at Survey Nos.42 and Survey No.1 at Mouza Pimpalgaon Chambhare, Tahsil Barshitakli, District Akola. Inviting attention to the order passed in Public Interest Litigation No.89/2013 (*Kal*

Ke Liye, Main Line, Amravati vs. The Collector, Amravati and ors.) it is submitted that this Court had permitted ascertainment of the status of the petitioners therein to consider their entitlement to regularisation of their occupation in similar circumstances.

2. On 01/02/2022 time was granted to the learned Assistant Government Pleader to consider whether similar course as followed in Public Interest Litigation No.89/2013 could be followed in the present writ petition. Today the learned Assistant Government Pleader on instructions submits that similar course could be followed in the present matter.

3. Accordingly by following the directions that were issued in Public Interest Litigation No.89/2013 to consider the grievance of the petitioners, they are directed to remain present before the Collector at Akola on 23/02/2022 after which the Collector shall consider the request made by them expeditiously keeping in mind the relevant policy decisions as well as the judgment of the Honourable Supreme Court in *Jagpal Singh and ors. vs. State of Punjab and ors. AIR 2011 SC 1123*. The decision taken be communicated to the petitioners.

With aforesaid directions the writ petition is disposed of. Rule accordingly. No costs.

(Pushpa V. Ganediwala, J.)

(A. S. Chandurkar, J.)