

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

WRIT PETITION NO.619 of 2022

Prashil Ganeshji Sahu

vs.

District Collector, Wardha and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Sohoni, Advocate for petitioner.

Ms N. P. Mehta, Assistant Government Pleader for respondent nos.1 to 3.

Shri A.S.Deshpande, Advocate for respondent no.5.

CORAM :- A.S.CHANDURKAR AND ANIL L.PANSARE, JJ.

DATE :- DECEMBER 05, 2022

By this writ petition, the petitioner seeks directions to the respondent nos. 2 to 5 to take necessary steps to remove the alleged encroachment at Gram Panchyat, Sawangi (Meghe). According to the petitioner despite making various complaints to the authorities, no action has been taken to remove the encroachments adjoining field Survey No.423.

After notice was issued in the writ petition, reply has been filed on behalf of the Tahsildar, Wardha, in which it has been stated that the Talathi on 01.10.2020 has issued a communication indicating the encroachment committed by about 15 persons at field Survey No.423. It has been further stated that it is for the Gram Panchayat to take necessary steps under Section 53 of the Maharashtra Village Panchayats Act, 1958 (for short, the said Act) for removal of the encroachment. Reference has also been made to the communication dated 22.09.2020 issued to the Talathi in that regard.

Considering the aforesaid material on record, it is for the Gram Panchayat to take necessary steps in accordance with the

communication dated 22.09.2020 issued by the Naib-Tahsildar, Wardha to Talathi, Sawangi (Meghe). The same be done by following the prescribed procedure under Section 53 of the said Act. It is expected that necessary action would be taken expeditiously and preferably within a period of two months from today.

With these directions, the writ petition stands disposed of.
No costs.

(ANIL L.PANSARE, J.)

(A.S.CHANDURKAR, J.)

Andurkar..