

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

WRIT PETITION NO.1360 OF 2023

**VILAS REVANASIDDHA ALANGE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

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WRIT PETITION NO.1362 OF 2023

**PRATAPSIKH GOPALSIKH RAJAPUT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

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**Advocate for Petitioners : Mr. Nanabhau R. Thorat
AGP for Respondents/State: Mrs. M. A. Deshpande**

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**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 03.02.2023

PER COURT :

1. The petitioners are seeking a direction to the respondent – Tahsildar to take steps for removal of encroachment on a village road.
2. The petitioners seem to have submitted applications with the Tahsildar on 15.11.2022, 15.03.2022, 15.02.2022, 16.03.2022 and 20.10.2022.
3. Apart from the remedies available to an individual either to file a suit under the Mamlatdars Courts Act, 1906 or a proceeding under Section 143 of the Maharashtra Land Revenue Code 1966, the State

Government on its own seems to have issued a Government Resolution dated 04.11.1987 *inter alia* directing the Collector and Tahsildar to take appropriate steps for removing the encroachments in the five kinds of roads as described therein.

4. We dispose of both the writ petitions by directing respondent – Tahsildar to take appropriate decision/steps on the petitioners' applications referred to herein-above and in the light of the Government Resolution dated 04.11.1987, as expeditiously as possible and in any event within six weeks.

(S. G. CHAPALGAONKAR, J.)

(MANGESH S. PATIL, J.)

Sameer