

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

WRIT PETITION NO.8471 OF 2023

**RAMPRASAD MADHAVLAL PORWAL
VERSUS
RESIDENT COLLECTOR COLLECTOR OFFICE JALNA AND
OTHERS**

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Mr. Ramprasad Madhavlal Porwar – Party-in-person
Mr. S. B. Yawalkar, AGP for the Respondent - State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 24.07.2023

PER COURT :-

1. The Petitioner has appeared in person. We have considered his prayer clause (B). Without any proper investigation, there cannot be an order of removing encroachment. His one application is pending before the District Collector, which he had filed on 29.06.2021 and another application is filed before the Resident Deputy Collector on 02.11.2022.

2. The learned AGP sought a pass over and has collected instructions. He submits that *prima-facie*, the Nagar Parishad has constructed shops on its own land. Nevertheless, as the two applications are pending, the said authorities would consider the same strictly in accordance with law, within a time frame as this Court may direct.

3. In view of the above, **this petition is disposed off.** Let the District Collector, Jalna and the Resident District Collector, deal with the two applications that are pending before them and after following the due procedure laid down in law, these authorities would draw their conclusions as is permissible in law, within 180 days from today.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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