

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.10963 OF 2022

RATANBAI TUKARAM AHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
PRINCIPAL SECRETARY AND OTHERS

...
Advocate for the Petitioner : Shri Shelke Shivaji T.
AGP for Respondents 1 to 6/State : Shri V.M. Kagne
...

CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRADE, JJ.

DATE :- 07th June, 2023

Per Court :-

1. On 10.11.2022, we had passed the following order:-

- “1. We have considered all prayers of the petitioner. We have perused the judgment delivered by the Hon’ble Supreme Court in the case of **Jagpal Singh and others vs. State of Punjab and others, (2011) 11 SCC 396** and the reasoned order passed at the Principal Seat in *Suo Motu Public Interest Litigation No.2 of 2022, dated 06.10.2022*. In the light of the law laid down in the reasoned order of this Court, we are not inclined to entertain this petition.
2. The learned advocate for the petitioner seeks time to place on record certain Government Resolutions introduced by the State of Maharashtra, whereby encroachment can be regularized.
3. In the light of his request for adjournment for

three weeks, list this petition on 05.12.2022.”

2. The learned Advocate for the Petitioner submits that the Petitioner has been pursuing the Revenue Authorities. By communication dated 27.04.2006, the Sub Divisional Officer, Sangamner, has expressed an opinion. This was in response to the communication received by the Sub Divisional Officer dated 06.03.2004 from the District Collector, Ahmednagar (Revenue Section). The grievance is that there have been no further developments on this count.

3. In view of the above and considering the law laid down in *Jagpal Singh (supra)*, we would not issue any orders in such matters. Taking into account the correspondences between the Sub Divisional Officer and the District Collector in the backdrop of the claim of the Petitioner, we expect the Revenue Authorities to take a call on this issue and take the matter to a logical end, preferably within 120 days.

4. The Writ Petition is, accordingly, **disposed off**.

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)