

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO.12219 OF 2021

BALU ANANDA MADAGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
WITH
WRIT PETITION NO.12252 OF 2021

BHAUSAHEB S/O ANANDA MADAGE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.Amol Sawant, Advocate for the Petitioners.
Mr.P.K.Lakhotiya, AGP for Respondent Nos. 1 to 5.

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

DATE : SEPTEMBER 13, 2023

PER COURT :

1. We have briefly heard the learned Advocates for the respective sides. We find several disputed issues.

2. All notices dated 08.09.2023 received by the Petitioners from the Talathi, Gramadhikari and Gramsevak, Mhase Kh., Tal.Parner indicate that the Revenue Authorities believe that the Petitioners are encroachers. Therefore, the Petitioners are called upon to produce the

documents showing their title and prove their ownership. The Petitioners rushed to this Court. By order dated 16.11.2021, this Court did not grant relief to the Petitioners.

3. In view of the above, **both these Petitions are disposed off.**

4. Let the competent authority consider the papers and the documents tendered by all these Petitioners by following the due procedure laid down in Law. After verifying the entire records, a reasoned order in each of these cases shall be passed on or before 27.09.2023. Until then, precipitative action may not be taken against these Petitioners and this order would survive only till the date of passing of the order.

5. We direct the Petitioners not to create any third party interests or encumbrances on the writ properties. If an adverse order is passed against these Petitioners, they shall approach the competent Civil Court by following the due process of Law.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)