

jvs

SALUNKE
JVDigitally signed
by SALUNKE JV
Date: 2023.03.10
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 49 OF 2023

Sangli Zilla Zopadpatti Punarvasan	}	
Samiti, Sangli	}	Petitioner
Versus		
The State of Maharashtra & Ors.	}	Respondents

Mr. Nagesh Y. Chavan for the petitioner.

Mr. P. P. Kakade, Government Pleader with
Ms. R. A. Salunkhe, AGP for State.

**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.**

DATE: MARCH 9, 2023

P.C.:

- 1.** The petitioner seeks direction against the respondents to form a committee under the guidance of the Commissioner of Sangli, Miraj and Kupwad City Municipal Corporation for regularization of the encroachment made by the slum dwellers on different slum areas (Government land) situated in Sangli city. Further directions are sought to regularize the encroachment made by the slum dwellers in different slum areas situated within the vicinity of Sangli City.
- 2.** We have heard the learned counsel for the petitioner and the learned Government Pleader.
- 3.** The public interest litigation is filed by Sangli Zilla Zopadpatti Punarvasan Samiti, Sangli. We cannot direct the planning authority and/or the Government to regularize the encroachment. If there is a policy in place for regularization, then, individual applications will have to be made by those

persons. The pros and cons will have to be considered. Evidence will have to be brought on record qua the manner of possession so also the period of possession and if the policy exists of the Government, then only further steps can be undertaken.

4. In case such encroachers have filed applications and/or file such applications, it is for the authority to consider the same on its own merits and in accordance with the policy.

5. With the aforesaid observations, the public interest litigation is disposed of.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)