

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10765 OF 2017

Parasram Laxman Gholap

VERSUS

The State Of Maharashtra And Others

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Advocate for the Petitioner : Mr. Jayabhar Dattatraya R.

AGP for Respondent/State : Ms. P.V. Diggikar

...

CORAM : S.G. MEHARE AND
SHAILESH P. BRAHME, JJ.

DATED : NOVEMBER 28, 2024

PER COURT:-

1. Heard learned counsel for the petitioner.
2. Issue notice to the respondents.
3. Learned AGP waives service of notice for the respondent nos.1 to 5.
4. The petitioner has a case that they are residents of the locality have encroached upon the places of canal road at Mukindpur, Taluka Newasa, District Ahmednagar. The petitioner made representation for removal of the encroachment, as it was obstructing his enjoyment of the property. The matter is pending since 2017. Hence, it should be ascertained whether the alleged encroachment is as it is.
5. Therefore, the writ petition is disposed of by directing the Collector, Ahmednagar to coordinate with respondent nos.5 and 6 and

initiate the proceeding for removal of the encroachment by the encroachers. Before initiating an action for removal of encroachment, the authority should grant hearing to the so-called encroachers and then take a decision for removal of the encroachment, if any, within two months from today.

(SHAILESH P. BRAHME, J.)

(S.G. MEHARE, J.)