

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13210 OF 2024**

Shashikala Dilip Chavan	... Petitioner
Versus	
The State of Maharashtra through its Rural Development Department and ors.	... Respondents

Mr. Dinesh Bhosale, Advocate for the Petitioner.
Ms. V. S. Nimbalkar, AGP for Respondent Nos.1 to 3.

**CORAM : R. M. JOSHI, J.
DATED : 24th SEPTEMBER, 2024.**

P.C. :

1. Heard.
2. Learned counsel for the petitioner submits that on the basis of complaint made by the complainant under Section 14(1)(j-iii) of the Maharashtra Village Panchayats Act 1959 of alleged encroachment carried out by family members of the petitioner, the Collector while passing order dated 20th July 2023 has taken into consideration the material evidence on record including the report dated 16th September 2022 submitted by Aasthi Madhyam Project. It is his submission that the Additional Divisional Commissioner in an appeal has committed error in discarding the said evidence without recording any finding to that effect. He drew attention of the Court to the report dated 16th September 2022 which indicates that as per the authority, there is no encroachment within the area of Aasthi Madhyam Project. The petitioner, therefore, has made

SHUBHADA
SHANKAR
KADAM

Digitally
signed by
SHUBHADA
SHANKAR
KADAM
Date:
2024.09.25
14:57:04
+0530

out prima facie case for stay of the order passed by Additional Commissioner till next date of hearing. Hence, issue notice to the respondents returnable on 11th November 2024.

3. There shall be stay in terms of prayer clauses (c) and (d) till the next date of hearing.

(R. M. JOSHI, J.)