



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

917 WRIT PETITION NO. 10691 OF 2025

Halima Salim Shaikh

VERSUS

The State Of Maharashtra And Others

920 WRIT PETITION NO. 10695 OF 2025

Rajaram Sahebrao Sarovar

VERSUS

The State Of Maharashtra And Others

923 WRIT PETITION NO. 10699 OF 2025

Karbhari Damu Bhojane

VERSUS

The State Of Maharashtra And Others

925 WRIT PETITION NO. 10701 OF 2025

Parvatabai Bandu Wagh

VERSUS

The State Of Maharashtra And Others

Mr. Shaikh Tarek Mobin H, Advocate for petitioners
Mr. S. R. Dheple, Advocate for respondent No. 8
Ms. P. R. Bharaswadkar, Mr. S. D. Ghayal, Ms. P. V. Diggikar, Mr. V. M.
Kagne, AGP for respondent Nos. 1 to 7/State in respective matter

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 14th October, 2025

PER COURT :-

1. The present petitions filed seeking a direction for regularization of *Gairan land* in the name of the petitioners in the light of

Government Resolutions dated 28th November 1991, and 12th July 2011.

2. Since respondents No. 1 to 7 are represented by the learned AGPs and respondent No.8 is represented by the learned Advocate Mr. Dheple, we are inclined to dispose of these petitions by issuing appropriate directions.

3. We find that in **Writ Petition No.5099 of 2024 (Nandkishor s/o Dhonduji Salwe Vs. The State of Maharashtra & Ors.)**, a Division Bench of this Court on 25th July 2024, referred to the said government resolutions and thereupon directed the concerned Collector to consider the claim of the petitioner therein for regularization of land by passing a speaking order strictly in accordance with law.

4. In that view of the matter, we are of the opinion that this Court cannot consider the prayer for regularization directly and it would be necessary for the Collector i.e. respondent No.3 to consider the claim of the petitioners in accordance with law.

5. In view of the above, the respondent No.3 - District Collector is directed to consider the claim of the petitioner for regularization of the Gairan land in view of the Government Resolutions dated 28th November 1991, and 12th July 2011, strictly in accordance with law, as

expeditiously as possible and preferably within a period of four months from the date of the order.

6. Learned AGPs relies on Public Interest Litigation No. 127 of 2022 and companion matters at the Principal Seat, wherein certain directions have been issued to the Collectors in respect of *Gairan lands*. We have not made any observations in our orders made in the earlier writ petitions i.e. writ petition No.10286 of 2025 decided on 25.09.2025, writ petition No.8264 of 2025 decided on 23.07.2025 and writ petition No.5099 of 2024 decided on 25.07.2025. It is the only point for which we are relegating the matter directing respondent No.3/Collector to consider the representation and the claim. Even in the decision in PIL No. 127 of 2022, it has been directed that jurisdictional Collectors shall issue notice to the petitioners as well as the unofficial respondents, the interveners and every other person who may be in occupation of the Government land/*Gairan* land to carry out a survey to ascertain the encroachment on the subject lands, to give opportunity of hearing to all the parties and to submit documents in support of their claims. Therefore, this exercise is then required to be undertaken in the present matters also by respondent No.3.

7. In the result, we dispose of the writ petitions with no observations but for the decision to the collector and it would be

appropriate that the Collector also take into consideration, the observations made by this Court while disposing of the aforementioned **Writ Petition No.5099 of 2024 (Nandkishor s/o Dhonduji Salwe Vs. The State of Maharashtra & Ors.) (supra).**

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi