



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 11463 OF 2025

Barku Manaji Sarovar

VERSUS

The State Of Maharashtra And Others

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Advocate for Petitioner : Mr. Shaikh Tarek Mobin H.

AGP for Respondents: Mr. S.K.Tambe

Mr.S.R. Dheple, advocate for Respondent No.8.

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

Dated : December 23, 2025

COURT'S ORDER :-

1. Learned advocate for the petitioner places on record a photocopy of the letter given by the Gram Mahasul Adhikari dated 8.12.2025. It is taken on record by making Exhibit X. He states that Gav Namuna 1E is not available with him.

2. The learned advocate for the petitioner submits that petitioner has challenged the communication dated 17.7.2025 issued by respondent no.3 Collector, which according to the petitioner is illegal, arbitrary and contrary to the various Government Resolutions. However, the petitioner also filed representation to respondent nos.3 to 5 to regularize his occupation on the land to the extent of 1H from gat no.84 of

village Gaaraj, Tq. Vaijapur as per Government Resolution dated 28.9.1999. The petitioner would be satisfied if the said representation is decided.

3. In fact, when the representation is stated to have been made by the petitioner on 2.7.2025, the respondent authorities especially respondent no.2 ought not to have given the communication/order dated 17.7.2025.

4. Learned AGP points out that the representation dated 2.7.2025 appears to have been sent through the Post and without there being any acknowledgment, it should not happen that the authorities would now say that they have not received the representation and therefore he requests that the petitioner be directed to re-submit the representation, which then would be decided by the respondent no.3.

5. In writ petition no.14977 of 2025, we have dealt with the similar issue. We had also relied on the decision in writ petition no.5099 of 2024 (Nandkirshor s/o Dhonduji Salwe Vs. State of Maharashtra and others) decided on 25.7.2024 in respect of Government Resolution dated 28.11.1991. According to the petitioner, he possessed the said land since

1988. But, it appears from Exhibit-X of Grampanchayat Mahasul Adhikari that he is not having document Gav Namuna 1-E. Therefore, it is desirable that the respondent no.3 would consider all the documents and take ultimate decision. We therefore quash and set aside the communication/order dated 17.7.2025 issued by the respondent no.3-Collector. We direct the petitioner to file afresh detailed representation alongwith the documents, if any, within a period of one (1) week before Respondent no.3 physically and after the receipt of said representation, the respondent no.3 should consider the claim of petitioner for regularization of the land in view of the Government Resolution dated 28.11.1991 and 12.7.2011 strictly in accordance with the law, as expeditiously as possible and preferably within a period of four (4) months of the receipt of the representation. Writ Petition stands **disposed off**.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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