



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

WRIT PETITION NO. 15169 OF 2025

Asharam S/o Shankar Wagh died through L.Rs Rukhmanbai W/o
Asharam Wagh
VERSUS
The State of Maharashtra and others

Mr. G. N. Chincholkar, Advocate for petitioner
Mr. S. K. Tambe, Addl. GP for respondent-State

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

DATE : 17th December, 2025

PER COURT :-

1. Not on Board. Upon mentioning, taken on Board.
2. Learned Advocate for the petitioner submits that the petitioner is a member of Other Backward Class (OBC) by caste Kumbhar landless agricultural labour and her husband has been encroached on Gut No. 220 at village Nadi, Tq. Vaijapur, Dist. Aurangabad is to the extent of 1 H 40 R land i.e., the Gayran land since 1971. She filed application for regularization of the encroachment in view of the Government Resolution dated 08.11.1991. However, by order dated 14.08.2024, the Sub Divisional Officer, Vaijapur has turned down the application.
3. Learned AGP waives notice for all the respondents and points

out that there is specific provision for appeal under Section 50(5) of Maharashtra Land Revenue Code, 1966 to challenge the said order of rejection of regularization.

4. Thereupon, the learned Advocate for the petitioner seeks withdrawal of the petition with liberty to approach the appellate authority.

5. The writ petition stands disposed of as withdrawn. The appellate authority, in case of such appeal is filed, should only consider the period prosecuting the writ petition by the petitioner before this Court, if at all any application for condonation of delay is filed.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi