

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10655 OF 2025**

Kailash Nanaji Suryawanshi and Anr.Petitioners

Versus

State of Maharashtra and Ors.Respondents

Mr. Narayan R. Bubna a/w. Ms. Pooja Malik for the Petitioners.
Mr. S.P. Kamble, AGP for Respondent Nos.1 to 5.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 8th SEPTEMBER, 2025

P.C. :-

1. The Petitioners are a couple who are senior citizens. Their vacant plot and the agricultural land are abutting National Highway 848. Some unknown persons have erected temporary structures, such as taparis, to operate commercial businesses, between the Petitioners' land and the highway. The Petitioners have been complaining to various Authorities. Respondent No.2, Sub-Divisional Officer, Dindori, contends that removal of such encroachment is not his job. The Circle Officer, Peth (Respondent No.3), Tahsildar, Peth (Respondent No.4), the PWD (Respondent No.5), Peth Nagar Panchayat (Respondent No.6), and the National

Highway Authority of India (Respondent Nos.7 and 8), all say that it is not their outlook, that they cannot remove the encroachment and that they are not duty bound to do it. The Petitioners are rendered remediless. The encroachers are unknown to them.

2. In view of the above, we permit the Petitioners to add the District Collector, Nashik, as well as the District Superintendent of Police (Rural), Nashik, as Respondent Nos.9 and 10.

3. We direct the Tahsildar, Peth, to place this matter before the District Collector, Nashik, Respondent No.9, who shall personally look into the issue. If it is found that the structures are illegal and amount to encroachment, he shall take the help of Respondent No.10 and remove the encroachment by following the due procedure laid down in law.

4. List this Petition on 29th September, 2025 to enable the District Collector to submit a compliance report.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)