



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 5978 OF 2025

(Suresh s/o Baliram Shirsat and ors Vs. The Collector, Akola and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.K. Wankhade, Advocate for petitioners.

Mr. S.M. Ukey, Addl.GP for respondent Nos. 1 and 2/State.

CORAM : ANIL S. KILOR & RAJNISH R. VYAS, JJ.

DATED : 11-11-2025.

Heard learned counsel for petitioners and learned Addl GP for respondent Nos. 1 and 2/State.

2. By way of present petition, the petitioners have prayed for setting aside communication dated 7.2.2025, by which the alleged encroachment was asked to be removed.

3. Learned Additional Government Pleader has fairly pointed out the order dated 14.2.2025, passed in Writ Petition No. 828/2025 contending that similarly circumstanced persons were granted benefit by virtue of said order.

4. We have gone through the order dated 14.2.2025 in which this Court has directed that opportunity of hearing is required to be given, so also, objection/s will have to be considered before ordering removal of encroachment.

5. In that view of the matter, petition is allowed partly with direction to respondent No. 2 to grant opportunity of hearing to the petitioners, so also, consider objection, if any, submitted by the petitioners before taking any action of removal of encroachment. Petitioners are directed to remain present before respondent

authorities on 18.11.2025. Petitioners are directed to communicate this order to respondent authorities within a week from today. Petition is disposed of accordingly.

(RAJNISH R. VYAS, J)

(ANIL S. KILOR, J)