



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3483 OF 2024

Vilas Vasudeo Borkar Vs. State of Maharashtra and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.I. Ghatte, Advocate for the Petitioner.
Mr. A.G. Mate, AGP for the Respondent/State.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 14th OCTOBER, 2025

1. Heard Mr. S.I. Ghatte, learned counsel for the petitioner and Mr. A.G. Mate, learned counsel for the respondent/State.
2. The petition is directed against order of committee dated 09.07.2021, whereby it dismissed the appeal filed by the petitioner on the ground that the petitioner has not placed on record any documents, pertaining to the residence of petitioner's father before 2005.
3. I have gone through the order passed by the Committee dated 09.07.2021, wherein, the committee has observed that the petitioner has not submitted the record prior to 2005. It is clear that the petitioner had placed on record one report dated 02.09.2002 whereby, it reveals that on 21.08.2002, a panchanama was prepared indicating that the petitioner was residing there for several years and had his encroachment.

4. Having gone through the order passed and the record available, it reveals that the committee has not considered the letter which is at page No.41 of the petition, which clearly shows that prior to year 2005, there was some record pointed out by the petitioner.

5. In view thereof, the present writ petition is partly **allowed**. Order dated 09.07.2021 is hereby quashed and set-aside. Committee to consider the relevant record and pass an appropriate and well reasoned order afresh by giving an opportunity of hearing to the parties concerned.

6. The petitioner submits that another record, which was not submitted earlier, also needs to be taken into consideration by the committee while passing the order afresh. The respondent is expected to decide the proceeding within a period of six month from today.

(SIDDHESHWAR S. THOMBRE J.)

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