



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

WRIT PETITION NO. 98 OF 2026

Jagannath Rama Jadhav

VERSUS

The State Of Maharashtra And Others

Mr. A. R. Lukhe, Advocate for petitioner

Mr. V. M. Kagne, AGP for respondent-State

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

DATE : 07th January, 2026

PER COURT :-

1. Present petition has been filed for following relief :

B] By way of issuance of writ of mandamus or any other appropriate writ, order or directions in the like nature, the Respondents No.2 to 8 may kindly be directed to consider and decide the Representations dated 05.02.2025 and 31.10.2025 submitted by petitioner within stipulated period of time, which this Hon'ble Court may deems fit.

2. Petitioner contends that he has ancestral agricultural land bearing Gut No. 584 to the extent of 1 Hecter 14 R in village Krishna Nagar (Rani-Unchegaon) Tq. Ghansavangi, Dist. Jalna. He states that due to the financial problem, he left the village and shifted to another city in 2003. The land was barren or not under cultivation till 2017. It is then stated that taking its advantage, some persons belonging to the opposite group have made an encroachment on the said land and constructed one room for Anganwadi at Kashinath Tanda without his

consent.

3. Learned Advocate for the petitioner, after taking us through the documents, submits that the appropriate authorities have not taken any action on the representations made by the petitioner and, therefore, the petitioner is before this Court.

4. The first and the foremost fact that is required to be noted is that the 7/12 extract and 8-A extract shows that land bearing Gut No. 584 to the extent of 1 Hector 14 R stands in the name of present petitioner. However, his pleadings are that he left the village in 2003 and the land was not under cultivation. From which side how much encroachment has been made, when it is made, it is made by which authority or person, all these details are missing. Merely because some representations are made, this Court will not be then justified in exercising its powers under Article 226 of the Constitution of India to direct that authority to take further action. When it is the case of an encroachment then the petitioner has civil remedy. Hence, petition stands dismissed.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi