IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14630 OF 2025

Neeta Sanju Gumladu,
Age: 31 Years, Occu.: Agri.,
R/o.Talavwadi, Tal. Khuldabad,
Dist. Aurangabad. … Petitioner

Versus

1. The State of Maharashtra
   Through its Principal Secretary,
   Revenue and Forest Department,
   Mantralaya, Mumbai.

2. The Divisional Commissioner,
   Chh. Sambhajinagar (Aurangabad)

3. The Collector,
   Chh. Sambhajinagar (Aurangabad)

4. The Sub Divisional Officer, Kannad,
   Dist. Aurangabad.

5. The Tahsildar, Khuldabad.

6. The Circle Officer, Aasegaon,
   Verul, Tal. Khuldabad, Dist. Aurangabad.

7. The Talathi Sajja, Kasabkheda,
   Tal. & Dist. Aurangabad.

8. The Chief Executive Officer,
   Zilla Parishad, Aurangabad. … Respondents

AND
WRIT PETITION NO. 14633 OF 2025

Nandu Dhansing Gumladu,
Age: 60 Years, Occu.: Agri.,
R/o.Talavwadi, Tal. Khuldabad,
Dist. Aurangabad. … Petitioner

Versus

1. The State of Maharashtra
   Through its Principal Secretary,
   Revenue and Forest Department,
   Mantralaya, Mumbai.

2. The Divisional Commissioner,
   Chh. Sambhajinagar (Aurangabad)

3. The Collector,
   Chh. Sambhajinagar (Aurangabad)

4. The Sub Divisional Officer, Kannad,
   Dist. Aurangabad.

5. The Tahsildar, Khuldabad.

6. The Circle Officer, Aasegaon,
   Verul, Tal. Khuldabad, Dist. Aurangabad.

7. The Talathi Sajja, Kasabkheda,
   Tal. & Dist. Aurangabad.

8. The Chief Executive Officer,
   Zilla Parishad, Aurangabad. … Respondents

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Mr. Shaikh Tarik Mobin, Advocate for Petitioners in both WPs
Mr. V.M. Kagne, APP for Respondents-State in WP/14630/2025
Mr. S.B. Narwade, AGP for Respondents-State in WP/14633/2025
Mr. S.R. Dheple, Advocate for Respondent No.8 in Both WPs

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 20 JANUARY, 2026

ORDER [Per Hiten S. Venegavkar, J.] :-

1. Both these writ petitions, involve similar and connected issues and, therefore, are taken up together for final disposal by this common judgment and order.

2. The grievance in both the petitions arises out of alleged encroachment by the petitioners upon *Gairan* lands situated in their respective villages, for which the petitioners have preferred applications seeking regularization of their occupation. It is the case of the petitioners that their representations for regularization are pending consideration before the Collector and other competent revenue authorities, compelling them to approach this Court.

3. In Writ Petition No. 14630 of 2025, the petitioner claims to be in occupation of Gut No. 22 situated at village Shahjatpur, Taluka Khuldabad, since the year 1983. According to the petitioner, the said land was initially occupied by her father-in-law, and the names of the petitioner's ancestors have been recorded in Namuna No. 1-E. After the demise of her in-laws, the petitioner has continued in possession of the land since the year 2021 and has been cultivating the same, admeasuring approximately two hectares. On this basis, the petitioner has approached the Collector seeking regularization of the said land in her name. The petitioner places reliance upon a panchanama carried out by the Revenue Officer in the year 1992, which records that the petitioner's in-laws were in possession of the said land as occupants. Further reliance is placed upon Mutation Entry No. 120, which reflects that similarly situated persons from the same village, who were in

occupation of Gairan lands, had their occupation regularised by the Tahsildar by order dated 22 December 1992, and their names were accordingly entered in the ownership column of the 7/12 extracts.

4. As regards the petitioner in Writ Petition No. 14633 of 2025, it is contended that the petitioner therein has also been occupying Gut No. 22 since the year 1983 and relies upon the same set of documents, including revenue records and *panchanamas*, as referred to in Writ Petition No. 14630 of 2025.

5. Both the petitioners have relied upon various policies of the State Government governing regularization of encroachments made by poor and landless persons upon lands owned by the State Government, particularly the Government Resolutions dated 28.11.1991, 28.09.1999, 04.04.2002, 09.03.2007, and 12.07.2011. According to the said policies, encroachments made prior to 1 January 1985 were eligible for regularization, and subsequently the cut-off date was extended to 1 January 1995. It is submitted that the petitioners have submitted their applications for regularization strictly in accordance with the aforesaid Government Resolutions. It is further pointed out that the Resident Deputy Collector, by letter dated 16 December 2024, addressed the Sub-Divisional Officer directing an inquiry into the petitioners' applications. Despite this, no final decision has been taken. The petitioners claim to

have submitted several reminders and fresh representations requesting regularization of their occupation; however, till date, no action has been taken by the respondent authorities.

6. We have heard the learned Advocate appearing for the petitioners and the learned Assistant Government Pleader appearing for the State.

7. At this stage, since the representations for regularization submitted by the petitioners are admittedly pending before the competent authorities, we do not find it appropriate to make any observations on the merits of the claim or the entitlement of the petitioners to regularization.

8. In Writ Petition No. 14977 of 2025, this Court has dealt with a similar issue by relying upon the decision in ***Nandakishor Dhundaji Salve vs. State of Maharashtra and others*** [Writ Petition No. 5099 of 2024, decided on 20.07.2024], in the context of Government Resolution dated 28.11.1991.

9. In the present case also, the petitioners claim possession of the subject land since the year 1983 and have relied upon revenue records and *panchanamas* prepared by revenue officers. In light of these documents, it would be appropriate for the respondent authorities to

consider the entire material placed on record and take a reasoned decision on the petitioners' representations.

10. Accordingly, we direct the respondent revenue authorities to decide the pending representations of the petitioners for regularization of the subject *Gairan* lands, in the light of the applicable Government Resolutions and regularization policies, and strictly in accordance with law, as expeditiously as possible and preferably within a period of four months from today.

11. In the event the authorities require the petitioners to submit fresh representations along with additional documents, the petitioners shall do so within a period of one week from such communication, and upon receipt thereof, the authorities shall decide the same within a period of four months.

12. With aforesaid directions, both the writ petitions stand disposed of. No order as to costs.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane