



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO. 14958 OF 2025

SARDAR MANJEET SINGH JAGAN SINGH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. Ganesh A. Gadhe Advocate for Petitioner.
Mr. S.B. Pulkundwar, A.G.P. for Resp. Nos. 1 to 4.
...

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

DATE : 17th JANUARY, 2026

ORDER :

1. In view of our order dated 12th December 2025, affidavit in reply of Mr. Sanjay Digambarrao Warkad, Tahasildar, Nanded has been filed. In fact, in view of the observation in our order, the Collector ought to have taken the task of filing the affidavit on his own but for the best reasons known to him, he has assigned the work of filing the affidavit in reply to Tahasildar, Nanded and to submit as to what action the Collector has taken.

2. Para No.3 of the affidavit shows that the affiant is aware about the prayer clause and the affiant as well as the District

Collector were aware about the observations in Para No.5 of the order. Now the affiant states that respondent NO.2 Collector had then called a meeting of the Deputy Superintendent of Land Records, Nanded, Sub Divisional Officer, Nanded, Tahsildar and Superintendent of Gurudwara Board on 30th December 2025 and given direction to examine the original record. Primary report appears to have been submitted to respondent No.2 Collector on 12th January 2026. Along with the affidavit, the said report has not been annexed, again for the reasons best known to respondent No.2 and 4. Now a short cut has been adopted by saying that the original land record of Nizam regime and they are in possession of revenue department of, State of Telangana. In fact, it ought to have been of State of Andhra Pradesh, taking into consideration the fact that the lands, as per our opinion, were within the jurisdiction of the earlier State of Andhra Pradesh. Now, it is stated that it is necessary to examine the original revenue records including muntkhab, inam patrak, shetwar etc. Here, we would like to again state that voluminous documents have been produced by the petitioner and in our order also it was made clear that the petitioner is not claiming Gurudwara to be the owner of the properties, however only as the Pattedar and now the document regarding conferring the

rights of Pattedar are produced on record, still the respondents state that original records are required to be perused. One more aspect that is required to be considered is that as per the record, the lands were belonging to the State of Andhra Pradesh and certainly then the provisions of the States Reorganization Act ought to have been considered, as to what provisions have been made in respect of the lands owned by the State in the State Enactment. It is very much surprising that after so many years the State is not possessing the documents in respect of the ownership of the lands which were belonging to the erstwhile State of Andhra Pradesh, before the States re-organization.

2. Now, it appears that respondent No.2 has formed a committee to scrutinize the original land record. Copy of order dated 13th January 2026 has been produced on record and according to us, this order is a good example, as to how the matter should be postponed. Even if the Collector had the intention to appoint such committee, then there should have been clarity as to when the committee should visit which place and when the report should be submitted and what is the spectrum of the inquiry. Now, which original record they are supposed to scrutinize is also not clear. Why the committee

should not consider the available record with the petitioner or the Gurudwara at Nanded, has also not been mentioned in this order.

3. We reiterate that the Collector is the custodian and protector of the government property and if anybody is coming with the compliant that the government land is encroached upon, then the collector should view such complaint seriously and give appropriate, clear and detail directions in that regard. We, therefore, set aside the order of constitution of the committee by respondent No.2 by communication dated 13th January 2026 and direct him that if he want to have the original documents scrutinized, then he should make communication to the counter part of the erstwhile collector or the State of Andhra Pradesh (now State of Telangana after it has been established), within a period of fifteen days from today.

4. In the meantime we appoint a committee headed by the Additional Collector, Nanded, in which Tahsildar, Nanded, District Superintendent of Land Records, Nanded, would be the members, to scrutinize the documents with Gurudwara Board, Nanded. They should also scrutinize their own documents i.e. the

documents available with Tahasildar, Nanded and District Superintendent of Land Records, Nanded. They should prepare a report within a period of two months and send it to the District Government Pleader, Nanded for legal opinion and then finalize the report and submit it to respondent No.2 Collector, who should thereafter submit the same before this Court. We make it clear that the Collector may also share the communication that would be received from Telangana Government, to the committee, if it is received within the aforesaid period.

5. The next affidavit, after taking all these exercise to be filed personally by respondent No.2 on or before 10th March 2026. Copy be given to the other side in advance. We make it clear that this duration will not be extended for any reason i.e. either for the submission of the report by the committee appointed by us or for filing the affidavit.

6. Place the matter for further consideration on 17th March 2026.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE