IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3880 OF 2026

1. Dhondiram S/o Rambhau Jadhav
Age: 70 years, Occup.: Agri,
R/o: Maltondi, Tq. Mantha, Dist. Jalna.

.. Petitioner

VERSUS

1. The State of Maharashtra
Through: The Secretary of Revenue
and Forest Department, Mantralaya,
Mumbai-32.

2. The District Collector,
Jalna.

3. The Sub Divisional Officer, Partur,
Tq. Partur, Dist. Jalna.

4. The Tahsildar, Tahsil Office, Mantha,
Tq. Mantha, Dist. Jalna.

.. Respondents

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Mr. A. L. Kanade, Advocate for the Petitioners
Mr. V. M. Kagne, AGP for Respondents-State

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CORAM : SMT. VIBHA KANKANWADI &
NEERAJ P. DHOTE, JJ.

DATED : 15TH APRIL, 2026

ORDER :-

. The present petition is filed seeking a direction for regularization of Gairan land in the name of the petitioner in the light of Government Resolutions dated 28.11.1991 and 12.07.2011.

2. Since respondents No.1 to 4 are represented by the learned AGP, we are inclined to dispose of this petition by issuing appropriate directions.

3. We find that in ***Writ Petition No.5099 of 2024 (Nandkishor s/o Dhonduji Salwe Vs. The State of Maharashtra & Ors.)***, a Division Bench of this Court on 25.07.2024, referred to the said government resolutions and thereupon directed the concerned Collector to consider the claim of the petitioner therein for regularization of land by passing a speaking order strictly in accordance with law.

4. In that view of the matter, we are of the opinion that this Court cannot consider the prayer for regularization directly and it would be necessary for the Collector i.e. respondent No.2 to consider the claim of the petitioner in accordance with law.

5. In view of the above, the respondent No.2 – District Collector is directed to consider the claim of the petitioner for regularization of the Gairan land in view of the Government Resolutions dated 28.11.1991 and 12.07.2011, strictly in accordance with law, as expeditiously as possible and preferably within a period of four months from the date of the order.

6. Learned AGP relies on Public Interest Litigation No.127 of 2022 and companion matters at the Principal Seat, wherein certain directions have been issued to the Collectors in respect of Gairan lands. We have not made any observations in our orders passed in the earlier writ petitions i.e. Writ Petition No.10286 of 2025 decided on 25.09.2025, Writ Petition No.8264 of 2025 decided on 23.07.2025 and Writ Petition No.5099 of 2024 decided on 25.07.2025. It is the only point for which we are relegating the matter directing respondent No.2/Collector to consider the representation and the claim. Even in the decision in Public Interest Litigation No.127 of 2022, it has been directed that jurisdictional Collectors shall issue notice to the petitioners as well as the unofficial respondents, the interveners and every other person who may be in occupation of the Government land/ Gairan land to carry out a survey to ascertain the encroachment on the subject lands, to give opportunity of hearing to all the parties and to submit documents in support of their claims. Therefore, this exercise is then required to be undertaken in the present matter also by respondent No.2.

7. In the result, we dispose of the writ petition with no observations but for the decision to the Collector and it would be appropriate that the Collector also take into consideration, the

observations made by this Court while disposing of the aforementioned petition i.e. ***Writ Petition No.5099 of 2024 (Nandkishor s/o Dhonduji Salwe Vs. The State of Maharashtra & Ors.) (supra)***.

[NEERAJ P. DHOTE, J] **[SMT. VIBHA KANKANWADI, J.]**

Rushikesh/2026