

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8734 OF 2025

SATISH
RAMCHANDRA
SANGAR

Digitally signed by
SATISH RAMCHANDRA
SANGAR

Date: 2026.03.18
18:02:23 +0530

Dashrath Sukrya Lokhande

...Petitioner

V/s.

The State of Maharashtra and Ors.

...Respondents

Mr.Gautam Kanchanpurkar, Advocate for Petitioner.
Mr.V.G.Badgujar, AGP, for Respondents-State.

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 16th MARCH 2026

P. C. :-

1. The Petitioner is praying for the following substantive reliefs:-

“(b) To issue writ of Mandamus or any other appropriate writ, order or direction thereby directing the Respondent No.2 and 4 to regularise the land bearing Survey No.32 (pt) Hissa No.115, area admeasuring about 3 acres and 27 ares, of village Salwad, Taluka and District Palghar in the name of the petitioner”.

2. Learned counsel for the Petitioner invited our attention to the order passed by this Court dated 16th December 2010 at Page No.47 which reads thus:-

“In this PIL, the petitioners have prayed for a direction to the respondents to implement the Government resolutions dated 27th December, 1978 and 28th November, 1991 at Exhibits 'A' and 'B' by regularizing the encroachments on Government grasslands and follow lands upto 14th April, 1990.

2. Ms. J.S. Pawar, learned Additional Government Pleader has placed on record a note dated 16th December, 2010 prepared by the Desk Officer of the Revenue and Forest Department/J-1 indicating the number of persons who had made encroachments as on 14th April, 1990, area of encroachments and also the number of persons in whose favour regularization orders have been passed and the area covered by such orders. The learned Additional Government Pleader states that there are some problems as indicated in the note in the matter of regularization of encroachments.

4. Before proceeding further in the matter, it appears to the Court that unless the lists of persons who are considered as encroachers as on 14th April, 1990 are published, it will not be possible for the persons whose names are included in the lists to come forward and support their claim with the necessary documents or to take any other steps in the matter. Similarly, unless such lists are published, the persons whose names are not included in the lists also will not be able to take the necessary steps to see that they can take the benefit of clause 10 of the Government resolution dated 28th November, 1991.

5. *In view of the above, we direct that the Divisional Commissioners of all the concerned Divisions and the Collectors of the concerned Districts shall get the lists of persons, who are encroachers as on 14th April, 1990, published on the official website and also on the notice boards of the Village Panchayats of the villages where the concerned persons are residing. The aforesaid officers shall also get a press release published in two newspapers having wide circulation in the area on two occasions, intimating that such lists have been published in the offices of the concerned village panchayats and such lists are available for inspection without paying any charges for such inspection.*

6. *The above officers shall also ensure that the persons whose names are included in the lists are properly informed about the conditions required to be fulfilled by them for the purposes of regularization of encroachments and similarly, the officers shall ensure that all the necessary information is given to enable the persons whose names are not included in the lists to take necessary action for getting regularization, if they are entitled to such regularization under the various Government resolutions. This shall be done within four weeks from today.*

7. *List this matter on 27th January, 2011.”*

3. Thereafter, this Court on 28th March 2024 passed the following order in Public Interest Litigation No.204 of 2010:-

- “5 *Hence, we dispose of the Petition by passing the following order;*
- a) *Concerned officer of the State Government shall comply with the directions contained in clause 6 of the order dated 16 December 2010 within two months from today;*
 - b) *The State Government shall publish a notice on the official website in terms of the clause 5 of the order dated 16 December 2010 inviting the applications from the persons who are claiming relief of regularization under the policy of the State Government. The exercise of the publication of the notice in terms of clause 5 of the order dated 16 December 2010 shall be completed within a period of two months from today;*
 - c) *Even if applications are made by the persons whose names do not appear in the published list, the State Government shall take appropriate decision on the said applications within a period of two months from the dates on which the respective applications are made;*
 - d) *We grant time of four months from today to complete process of regularization in relation to the persons whose names are already appearing in the list published by the State Government. Till the process is complete, the concerned persons shall not be prevented from cultivating the lands in their possession;*

- e) *Though we dispose of the Petition in terms of the above directions, we direct that the Petition shall be listed on 5 September 2014 for considering the compliance with the directions issued by this Court;*
- f) *We direct the appropriate officers of the State Government to file compliance affidavit on or before 30 August 2014 for reporting the compliance with the aforesaid directions issued by this Court.”*

4. The Petitioner has made a representation to the Tahsildar on 29th December 2014 regarding regularization of the encroachments. Accordingly, the Tahsildar within a period of 4 weeks from the date of communication of this order shall pass appropriate orders in accordance with law on the application so made after considering the orders of this Court which we have reproduced above. It is the Petitioner's case that in respect of the similarly situated persons, the encroachments have been regularized. If that is so, the Tahsildar to consider this aspect as well.

5. The Petitioner to remain present before the Tahsildar on 23rd March 2026 at 11.00 a.m. along with copy of this order. The Tahsildar to do the needful within a period of four weeks. The Petition is disposed of accordingly.

6. List on 16th April 2026 “For Compliance”.
7. Liberty to apply for restoration in case of difficulty.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)