



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1211 OF 2026

(VILAS TEJRAO SAPKAL & OTHERS ..VS.. THE STATE OF MAHARASHTRA,
IRRIGATION DEPARTMENT, MUMBAI & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. P.S.Kshirsagar, Advocate for the petitioners.
Mr. D.V. Chauhan, G.P. a/b Ms Kalyani Marpakwar, AGP for Resp.Nos.1 to4, 6 to8.

CORAM : **ANIL S. KILOR AND RAJ D. WAKODE, JJ.**

DATE : **24.02.2026**

1. Heard.

2. The petitioners have raised a serious issue in the present writ petition pertaining to the commercial activities which are being conducted by the respondent-authorities, mainly in Eco-Sensitive Zone of Dyanganga Wildlife Sanctuary. The aforesaid land, which was acquired from the petitioners by the Irrigation Department for construction of dam, the said unused land is now being transferred to the Municipal Council, Buldana for commercial activities.

3. The petitioners, in view of the judgment of the Hon'ble Apex Court in *T.N.Godavaraman Thirumulpad ..vs.. Union of India and others*, reported in **2023 SCC OnLine SC 504**, and the relevant laws, had made various complaints and the representations to the respondents. The last representation is dated 12/11/2025 (Page 98). However, the learned counsel for the petitioners

submits that the respondent-authorities have neither acted upon such representation nor decided the same. Hence, the present petition.

4. In view of the aforesaid facts, the interest of justice would be sub-served if the respondent No.4 is directed to decide the representation of the petitioner.

5. Hence, we pass the following order :

- i) The Writ Petition is **disposed of**.
- ii) The respondent No.4-Collector, Buldana is directed to decide the representations submitted by the petitioner, so also the last representation of the present petitioners dated 12/11/2025, within a period of eight weeks from the receipt of this order, by granting an opportunity of hearing to all the relevant parties, including the petitioners.
- iii) The respondent No.4 shall consider the grounds raised in the present writ petition so also the report annexed thereto while deciding the aforesaid representations.
- iv) The parties shall appear before the respondent No.4-Collector on **04/03/2026** at 11:00 a.m.
- v) The petitioners undertake to submit copy of the order passed by this Court and a copy of the present

writ petition to the respondent No.4.

- vi) The decision taken shall be communicated to the petitioners, within a period of two weeks thereafter.
- vii) If the respondent No.4 Collector, after granting hearing to the parties and after considering the grounds raised in the representations so also the present petition, comes to the conclusion that a further action in the present cause is beyond his jurisdiction, he/she shall prepare a detailed note/recommendation about the issue involved, and shall refer the same to the Competent Authority for further necessary action.
- viii) The Competent Authority, upon receipt of such note or recommendation, shall consider the same and take it to its logical end in accordance with law.

The Writ Petition is **disposed of** accordingly. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)