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

WRIT PETITION NO.1892 OF 2026

NIRGUN S/O NARAYAN NITNAWRE

VS

STATE OF MAHARASHTRA, THR. SECY. REVENUE AND FOREST DEPARTMENT,
MUMBAI AND ORS.

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

Court's or Judge's orders

Mr. C.R. Khobragade, Advocate for the petitioner/s
Mr. I.J. Damle, AGP for the respondent/State

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

DATE : 06.03.2026

1. Heard the learned counsel for the petitioner.
2. The contention is that the petitioner is an encroacher upon the E-Class Gairan land bearing Survey No.160, admeasuring 1.20 Hectares, situated at Mouza Soyata, Tahsil and District Washim. It is alleged that the petitioner encroached upon the said land in the year 1978, and was also prosecuted for such encroachment on 13.11.1979.
3. The petitioner filed an application on 12.03.1991 before the respondent No.3-Collector, Washim for regularization of his encroachment on the aforesaid land. The Government of Maharashtra issued Government Resolution dated 28.11.1991 relating to Gairan land.
4. The learned counsel for the petitioner submits that the petitioner belongs to the Scheduled Caste category and is a landless labourer living below the poverty line. It is submitted that the petitioner has no proper source of

livelihood. Considering the financial condition of the petitioner, the Gram Panchayat, Soyata, passed a resolution granting a No-Objection to the petitioner's occupation/encroachment over the aforesaid land.

5. However, respondent No.3 has not decided the said application dated 12.03.1991 till date. The petitioner submits that he has made various reminders to respondent No.3, and the last representation in that regard was submitted on 03.12.2025 (page 35).

6. The learned counsel for the petitioner submits that even after the last representation, no decision has been taken by the respondent No.3.

7. In view of the above, we direct the respondent No.3/Collector, Washim to decide the application of the petitioner dated 12.03.1991, submitted by the petitioner along with the last application dated 03.12.2025, for regularization of his encroachment on the E-class Gairan land bearing Survey No.160 area 1.20 Hectare in Mouza Soyata, Tahsil and District Washim, in accordance with law, and more specifically by considering the GR dated 28.11.1991 and the judgment of the Hon'ble Supreme Court of India in the case of *Jagpal Singh v. State of Punjab*, reported in (2011) 11 SCC 396, within eight weeks from the date of receipt of this order

8. The learned counsel for the petitioner undertakes to furnish copy of this order to the respondent No.3 within

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one week from today.

9. The decision taken shall be communicated to the petitioner within two weeks from the date of such decision.

Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)