



**N THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**WRIT PETITION NO. 2482 OF 2026**

Kishor S/o. Balram Govindani & Ors.

**Vs.**

State of Maharashtra, through its Secretary & Ors.

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*Office Notes, Office Memoranda of Coram,  
Appearances, Court's orders of directions  
and Registrar's orders.*

*Court's or Judge's order*

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Mr. J.B. Gandhi, Advocate for the Petitioners.

Ms. S.S. Jachak, Addl. G.P. for Respondent Nos.1 to 5 & 8/State.

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

**DATE : 26.03.2026**

Heard Mr. J.B. Gandhi, learned counsel for the petitioners.

2. The petitioners, who are residents of village Vizora and Borgaon Manju, have approached this Court seeking directions to respondent Nos.3 and 4 to remove the encroachment allegedly committed by respondent No.9 adjacent to National Highway No.53.

3. The contention is that respondent No.9 has encroached upon the aforesaid land, and accordingly, the petitioners raised objections and submitted an application to the respondent authorities. Acting upon the application submitted by the petitioners, the Naib-Tahsildar, Akola, by order dated 16<sup>th</sup> June, 2025, directed respondent No.9 to remove the encroachment. The said order is at record page No.19 (Annexure-P1).

4. Respondent No.9 preferred an appeal against the aforesaid order before the Sub-Divisional Officer, Akola. The

said appeal was disposed of on 16<sup>th</sup> July, 2025, recording that the encroachment had been removed in compliance with the order dated 16<sup>th</sup> June, 2025 and that the way had been cleared.

5. However, Mr. Gandhi, learned counsel for the petitioners, submits that immediately after the removal of the encroachment by the authorities, respondent No.9, on the very next day, again committed encroachment. He further submits that respondent No.9 is also committing theft of electricity by illegally drawing a live wire. Aggrieved by such action of respondent No.9, the petitioners have approached this Court.

6. A perusal of the petition reveals that the petitioners submitted a detailed complaint regarding the alleged illegal acts of respondent No.9 on 15<sup>th</sup> September, 2025. The said complaint is at record page No.25 (Annexure-P5). Mr. Gandhi, learned counsel, submits that even after the lapse of almost six months, no action has been initiated by the respondents, nor such complaint has been rejected by assigning any reasons, and hence the present petition.

7. In view of the above, we dispose of the present writ petition with a direction to respondent No.2 – Collector, Akola, as well as respondent No.7 – Executive Engineer, MSEDCL, Akola, to consider the aforesaid complaint submitted by the petitioners and decide the same, in accordance with law and on its own merits, within a period of eight weeks from the date of production of this order.

8. The aforesaid respondents shall grant an opportunity of hearing to the petitioners as well as to respondent No.9 before arriving at any conclusion. The decision so taken shall be communicated to the petitioners within two weeks from the date of such decision.

9. The writ petition is accordingly disposed of. No costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Vijaykumar