



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1051 PUBLIC INTEREST LITIGATION NO. 58 OF 2024

Tulshiram Narayanrao Dhond And Others
VERSUS

The State Of Maharashtra Through The Principal Secretary And Others

WITH

CIVIL APPLICATION NO. 1794 OF 2025

IN PIL/58/2024

WITH

CIVIL APPLICATION NO. 8436 OF 2024

IN PIL/58/2024

WITH

CIVIL APPLICATION NO. 9654 OF 2024

IN PIL/58/2024

WITH

CIVIL APPLICATION STAMP NO. 3241 OF 2026

IN

CIVIL APPLICATION NO. 1794 OF 2025

IN PIL/58/2024

...

Mr. Balaji Yenge, Advocate for the Petitioner

Mr. A.B. Girase, Government Pleader for Respondents-State

Mr. Sachin Dankh a/w Mr. Jayesh Patil, Mr. Sirish Bhambre, Ms. Abhilasha Shinde and Ms. Radhika Dogra, Advocates for applicant in CA/8436/2024 and CA/1794/2025

...

CORAM : SMT. VIBHA KANKANWADI &

HITEN S. VENEGAVKAR, JJ.

DATE : 29 JANUARY 2026

ORDER :

1. In view of our order dated 14.01.2026, learned Government Pleader is placing on record a communication to him from the office of Collector, Chhatrapati Sambhajinagar dated 29.01.2026 regarding the plot for proposed Industrial and Labour Court of Chhatrapati

Sambhajinagar. The said letter is taken on record by marking as Exhibit-‘Ch’. As per our order, we had directed Collector, Chhatrapati Sambhajinagar to take steps for the allotment of land admeasuring 1 H 16 R from CTS No. 15309 situated at Chhatrapati Sambhajinagar. According to Exhibit-Ch and as per the submissions by learned Government Pleader the communications have been issued to the stakeholders and it is assured that proposal in respect of said land would be submitted to the State Government within a given period of one month.

2. As regards observations and directions in respect of the proposed site for Industrial and Labour Court, Latur, affidavit of Smt. Varsha Thakur-Ghuge, District Collector, Latur has been produced, wherein she has tendered unconditional apology for the delay as well as practical constraints in identifying the suitable Government land. As per our direction, earlier, learned Member Industrial Court as well as Judge, Labour Court, Latur had visited the site and submitted the report and taking into consideration the statements made therein we had expressed our displeasure. Now, it appears that thereafter all the machinery has taken up steps and learned Collector says that she is proactively getting involved herself in the entire process. The Judicial Officers had found two plots marked ‘A’ and ‘B’ in the layout plan of the Government staff

quarter prepared by Public Works Department as suitable for the residential quarter and now the Collector, Latur appears to have given directions to the concerned departments by holding a comprehensive meeting on 23.01.2026. The structural audit of two Government residential buildings on plot 'A' has been got done and it has been reported by Public Works Department, Latur that the structure fall under C-1 category and it is in extremely dangerous condition, liable to be demolished. The measurement has also been got done by the Land Records Department and thereby it is stated that Plot 'A' is admeasuring 0 H 22.09 R. She has received a comprehensive proposal on 28.01.2026, wherein there is recommendation of the grant of land i.e. Plot 'A' situated at mauje Varvanti, Taluka Latur Gut No. 83/1 admeasuring 0 H 22.09 R for the residences of Member of Industrial Court and Judges of Labour Court. Of course, it is subject to the demolition of two Government quarters as per structural audit. The Collector, Latur has undertaken to take necessary steps for the allotment of said land. We will have to observe that only after our displeasure the things have moved. We have also observed earlier that when it comes to the infrastructures of the Courts and the Court purposes, all the departments should co-operate and the revenue authorities will not be justified in not disclosing the Government plots. With the developments now, those have been made

and reports those have been received, we direct the Collector, Latur to go ahead with the steps for the allotment of land admeasuring 0 H 22.09 R from Gut No. 83/1 situated at mauje Varvanti, Taluka Latur, which should undertake within a period of one month from today.

3. As regards the proposed Labour and Industrial Court at Dhule, in view of our order, Collector, Dhule is present through video conferencing and Civil Application has been filed for the modification/recall of paragraph 9 of order dated 04.11.2026 passed by this Court, supporting that affidavit has been filed of the District Collector, Dhule. Important point to be noted is that our order dated 04.11.2025 was the outcome of discussions and instructions as well as earlier orders, those were passed in the present matter. It is not the order which had abruptly come up on that day, but when the concerned authorities were asked to identify the site, then after taking reports, the statements were made, documents were submitted and ultimately when a statement was made that the possession would be handed over of the said site, said statement on behalf of District Collector, Dhule was taken as undertaking. Now, in the Civil Application as well as affidavit, it has been stated that on the basis of report of Public Works Department, Dhule on 11.07.2024 to Tahsildar, report dated 09.07.2025 submitted by Sub Divisional Officer, Public Works Department, Dhule regarding spot

inspection of land CTS No. 3512/A2C, Sheet No. 23 admeasuring 83400.30 sq. meters, out of that 2 Acres land was stated to be available for construction/infrastructure of the building of Industrial and Labour Court, Dhule along with construction for quarters for the Judges. It has been then stated that reports were given by Circle Officer that there is no encroachment on said piece of land. Similar was the report by Additional Tahsildar on 05.03.2025, report by Sub Divisional Officer, Dhule on 17.04.2025 to District Collector. Thereupon, it was given in prescribed form for the allotment and it is stated that on the basis of this, the statement was made. Of course, now there is unconditional apology, but the fact remains that when all these officers are involved, yet how it was not noticed by any one of them that the said plot was already allotted or is already standing in the name of Dhule Police. It is then now explained on the basis of copy of PR card that around 20,000 sq. meters land is already allotted for the construction of District and Sessions Court building on 16.07.2024 and the said construction is going on. If the earlier reports of these Revenue Officers were also based upon the spot inspection, then why they had not involved the Land Records Officers, would be a question. Now, learned Government Pleader is making a statement that for misleading the Court, Collector, Dhule is proposing action to be taken against the erring officers.

4. Learned Advocates appearing for respective petitioners submit that even after the allotment of the land to District and Sessions Court and also for the Police quarters, still there is area available for allotment for the building of Industrial and Labour Court as well as for the residence of the Judges. Here, we would like to say that first of all the Superintendent of Police, Dhule who can be said to be guardian and concerned officer to protect the rights of police department is not a party to this proceeding and if suitable plots/sites are available, then we need not snatch the land from the said department.

5. Now, District Collector, Dhule through affidavit as well as by this application suggested four plots (i) Survey No. 22/A/1/1/2/B/1 situated at village Mahindale admeasuring 1 H 69 R and out of that 0 H 80 R would be made available (ii) Survey No. 22/A/1/1/2/B/2 situated at village Mahindale admeasuring 0 H 80 R which are said to be within the radius of 2-3 km from the District Court (iii) Survey No. 186/1 situated at village Bhokar admeasuring 2 H 12 R, out of that 0 H 80 R would be made available, however, it is stated to be 7 km away from the District Court, therefore, we are not suggesting taking that plot into consideration; iv) Survey No. 113 (CTS No. 4795) situated at Devpur admeasuring 6 H 14 R out of that 0 H 63 R would be made available and said plot is stated to be within the radius of 1.5 km from the District

Court Dhule. These plots can be considered for the allotment. In view of this development, we direct the Member Industrial Court, Dhule and Judge Labour Court, Dhule to visit the three sites i.e. two sites in village Mahindale and one at village Devpur along with Revenue Officers, Public Works Department officers, officers from the Land Records department and the members of bar association and submit a report about the suitability of three plots. We make it clear that before visiting, the revenue officers should show all the documents in respect of these sites to the learned Judges and then they can submit the suitability report. Such report be submitted on or before 20.02.2026.

6. Place the matter for further consideration at 2.30 pm on 26.02.2026.

7. The apology tendered by the District Collector, Latur and District Collector Dhule is accepted. She should take up the action against the erring officers for misleading the Court and report in this respect be submitted before the next date.

8. In view of this order, Civil Application Stamp No. 3241 of 2026 stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE