



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

947 PUBLIC INTEREST LITIGATION NO. 90 OF 2024

GRAM PANCHAYAT TAKLIBHAN THROUGH BAPUSAHEB KERU
SHINDE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...

Mr. Ajeet B. Kale, Advocate for the Petitioner.

Mr. A. B. Girase, G.P. for Respondents/State.

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CORAM : MANGESH S. PATIL

&

PRAFULLA S. KHUBALKAR, JJ.

DATE : 18th December, 2024

Per Court :-

Leave granted to amend the Petition and add a prayer.

2. We have heard the learned counsel for the petitioners. The Petitioners are the three Gram Panchayats espousing the cause for regularization of encroachments on the gairan lands. Additionally, they are also seeking some other reliefs in the form of implementation of various schemes floated by the State Government as well as Central Government for providing houses.



3. In the light of **Jagpal Singh vs. State of Punjab, Civil Appeal No.1132/2011** decided by the Supreme Court of India on 28.01.2011 and the subsequent policy formulated by the Government vide G.R. dated 12.07.2011, we are not inclined to entertain the PIL to the extent of prayer clauses (D) and (E), which read as under:-

“D) To direct the respondents to diver the land from Gairan to the Gaothan and for that purpose issue necessary writs and orders.

E) To direct the Respondent to take immediate steps to regularize the encroachment on the Government land, in order to provide the benefits of the Pradhan Mantri Awas Yona (Gramin) to the eligible beneficiaries.”

4. Issue notice to the respondents in respect of rest of the prayer clauses, returnable on 26.02.2025. The learned A.G.P. waives service of notice for all Respondents.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)