



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

4 PUBLIC INTEREST LITIGATION NO. 133 OF 2019

Dashrath Garbad Patil & othersPetitioners

VERSUS

The State of Maharashtra & othersRespondents

Mr. Abhijeet Yeole, Advocate holding for Mr. V. D. Salunke, Advocate
for the Petitioners.

Mr. S. B. Pulkundwar, AGP for the State.

**CORAM : SMT VIBHA KANKANWADI
& NEERAJ P. DHOTE, JJ.**

DATE : 15th APRIL, 2026.

PER COURT :

1. Respondent/State has not filed affidavit-in-reply as directed by this Court by order dated 11.03.2026 nor the cost amount has been deposited.

2. The learned AGP seeks accommodation for which he is not able to give any proper reason. He submits that Tahsildar is coming. When the Tahsildar knows the time of the Court, still when the matter was taken up at 11.00 am, he was not present. There is total lethargy on the part of the State to pursue the matter.

3. When we asked learned Advocate Mr. Yeole holding for Mr. Salunke, learned Advocate for the Petitioners to argue the matter, he submits that his senior is unable to attend the Court. No reasonable ground has been shown for not proceeding with the matter. We have already observed that since 2019 the matter was not even got circulated till 11.03.2026. We would have definitely dismissed the petition, however, taking into consideration the order that was passed by this court on 21.11.2019 and the concern shown, we would give one chance. However, since there is no reasonable ground for adjourning the matter, we are imposing cost on the Petitioners also for not proceeding with the matter. Petitioners to deposit amount of Rs. 2,000/- to the High Court Legal Services Sub-Committee at Aurangabad within a period of two weeks from today.

4. As per order dated 21.11.2019, Respondent No. 3 / District Collector, Nandurbar was directed to file affidavit-in-reply and specifically that the affidavit-in-reply of Respondent No. 3 – Collector be not filed by the officer below the rank of Assistant Collector. We directed learned AGP to give names of the officers who are between the designation of Collector, Nandurbar to assistant Collector, Nandurbar, within a period of two weeks from today. The amount of

Rs.10,000/- would be recovered from the salary of such erring officers. Since the affidavit-in-reply is not filed we now direct that Respondent No. 3 / District Collector, Nandurbar, only to file the affidavit within a period of two weeks from today. In case of failure on his behalf to file affidavit, cost of Rs. 50,000/- be recovered from his salary.

5. Place the matter for further consideration on 12.06.2026.

(NEERAJ P DHOTE)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

dyb