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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****PUBLIC INTEREST LITIGATION NO. 139 OF 2013**

Mr. Rahul Uttam Jogdand

.....Petitioner

V/s.

State of Maharashtra and others

.....Respondents

Mr. M. V. Shingade for the petitioner

Mr. P. P. Kakade AGP for respondent Nos. 1, 2 & 4

**CORAM : PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.****DATE : MAY 3, 2019.****P.C.**

The petition draws attention of this Court to rampant illegal constructions being effected on agricultural land in Tahsil Bhiwandi, district Thane.

2 Noting that the State Authorities were in a state of stupor, vide order dated 20/04/2017, the Secretary, Maharashtra Legal Services

Authority was directed to conduct a joint inspection of the area alongwith petitioner and officers of respondent Nos. 1 to 5. The Member, Secretary, Maharashtra State Legal Services Authority filed a report informing that there appear to be 20,000 illegal constructions in 60 villages in the Tahsil and it would not be possible for the Secretary to carry out the task assigned. The recommendation in the report is that the Committee comprising Collector, Thane and an officer from Zilla Parishad be directed to function as a Committee under the supervision of the Secretary, District Legal Services Authority, Thane.

3 Taking into account the magnitude of the survey work which would be required to be undertaken, we relieve the Secretary, Maharashtra State Legal Services Authority from the duty charged with under the order dated 20/04/2017 and direct the Collector district Thane to constitute a team by passing a direction to said effect. The team would inspect all the villages in Tahsil Bhiwandi and submit a report to the Collector about illegal constructions made on agricultural land in the villages within Tahsil Bhiwandi.

The Collector would then proceed to pass orders as per law requiring not only demolition of the unauthorised structures but action against errant officers who turned a blind eye to the construction being effected. The Collector would submit by-monthly reports to the Secretary, District Legal Services Authority, Thane. The Secretary, District Legal Services Authority, Thane would in turn submit a report to this Court after 6 months. Needless to state, it is the duty of State Authorities to assist the Collector, district Thane so that the direction issued to the Collector are complied with. Thus, all State Authorities shall render assistance to the District Collector, Thane as and when he sends such requisition.

4 List the Public Interest Litigation for compliance after 6 months.

N. M. JAMDAR, J.

CHIEF JUSTICE