

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

LETTERS PATENT APPEAL ST. NO. 1719 OF 2010

Zilla Parishad, Hingoli

.. APPELLANT

VERSUS

Shri Agrawal Samiti Charitable
Trust & others

.. RESPONDENTS

Ms. Savita Gaikwad, advocate holding for Ms. Preeti Diggikar, advocate for appellant.

Mr. Mukesh Goyanka, advocate for respondent no. 1.

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**CORAM : R.M. BORDE &
P.R. BORA, JJ.**

DATE : 26th FEBRUARY, 2015.

PER COURT :

1. This appeal is directed against the order passed by the learned Single Judge on 09.12.2009 in Writ Petition No. 7938/2009. While disposing of the petition, the learned Single Judge has granted interim relief thereby permitting the writ petitioner to raise construction over the plot allotted by Gram Panchayat in his favour on lease basis for a period of 99 years. It is informed by learned counsel appearing for writ petitioner that since there was no interim order operating in the letters patent appeal, construction has been raised. It is also further informed that the writ petitioner has presenting an undertaking as required under the interim order passed by the learned Single Judge on 09.12.2009. Needless to record that the construction raised by respondent no. 1 shall be subject to outcome of Writ Petition No. 7983/2009 pending before the learned Single Judge. In view of the developments pointed out by learned counsel for writ

petitioner, instant letters patent appeal need not be entertained. Letters Patent Appeal is devoid of substance hence stands dismissed.

2. Pending civil application, if any, does not survive and stands disposed of.

(P. R. BORA)
JUDGE

(R. M. BORDE)
JUDGE

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