

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4118 OF 2014

Subhash Vishnu Pathak

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.N.S.Kadarale for

Mr. Hemant Surve advocate for the petitioner

Mrs. M.A. Deshpande, AGP for Respondent No.2 & 3

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

Dated : 10th JUNE, 2015.

PER COURT :-

1 An affidavit in reply has been presented on behalf of respondent No.3 and in paragraph No.5 of the reply, it is stated thus:

" 5. It is further submitted that this Respondent will take necessary steps for removing encroachments by issuing directions to the Chief Officer, Municipal Council, Parola - Respondent No.4, through Tahsildar, Parola for removing the encroachments with the help of National Highway Authority, concerned Municipal Council and the Police authorities etc.. However, this will take considerable time for doing the needful. I say that, there is encroachments on the road of South side of hawkers, petty traders and other persons. I say that, for removing such encroachments six months period

is required. "

2 In view of the undertaking given on behalf of respondent No.3, nothing survives for consideration in the petition.

3 The respondents shall act in accordance with the statement made in paragraph No.5 of the affidavit in reply, as quoted above and ensure removal of encroachment, on the road, within six months from today.

4 In view above, writ petition is disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)

vbd