

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

WRIT PETITION NO. 8280 OF 2015

Shaikh Babu s/o Shaikh Mohammad

.. PETITIONER

VERSUS

The State of Maharashtra
& another

.. RESPONDENTS

Mr. H.I. Pathan, advocate for petitioner.
Mr. S.G. Karlekar, AGP for the State.

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

DATE : 10th AUGUST, 2015

PER COURT :

1. There is no vested right in the petitioner to continue to occupy the plot allegedly allotted in 1983. Petitioner places reliance on the judgment in the matter of Mohansing Uttamsing Tanwani Vs. State of Maharashtra and others reported in 2010(5) ALL MR 646. Present petition is not comparable with the grievances raised in the aforesaid petition. Infact, there were earlier directions of this Court for removal of encroachment around the Medical College and Hospital. In compliance of those directions, the Municipal Corporation is under obligation to remove unauthorised construction nearby the Medical College and Hospital. There is no merit in the petition. Writ petition stands rejected.

**(P. R. BORA)
JUDGE**

dyb

**(R. M. BORDE)
JUDGE**