

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 9238 OF 2015

VITHAL PANDU JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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908 WRIT PETITION NO. 9253 OF 2015

SHAIKH KADIR SHAIKH GULAM AND ANOTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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909 WRIT PETITION NO. 9255 OF 2015

SHAIKH HABIB SHAIKH GULAB AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Dalvi Uday D
S/Shri NB Patil, SG Karlekar & US Mote AGPs for Respondents
(in respective matters);
Mr. SS Shete, Adv. for Resp.No.2.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: September 08, 2015

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PER COURT :-

1) Heard. The petitioners, in these petitions, undertake to tender an undertaking to the effect that they would vacate encroached premises; and hand over possession of the encroached portion back to the Municipal Council within a period of two months from today. The petitioners shall also furnish an undertaking that they will not create any third party interest and will not change nature of the site during the period of their occupation. The undertaking shall be tendered within one week from today. Subject to the presentation of an undertaking to this Court, the

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(2)

Municipal Council shall not take coercive measures for eviction of the petitioners until expiry of the period of two months from today. On expiry of period of two months from today, if petitioners fail to hand over back possession of encroached premises to the Municipal Council, it would be open for the Municipal Council to adopt coercive means and recover back possession of the encroached premises/portion.

2) With the directions, as above, writ petitions stand disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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