

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD.

911 WRIT PETITION NO. 9316 OF 2015

DILIP VINAYAKRAO MOHITE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Dalvi Uday D.
AGP for Respondents:Mr. S.G. Karlekar
Advocate for Respondent No.2 :Mr. S.S. Shete

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Date: September 10, 2015

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PER COURT :-

1 Petitioners undertake to tender an undertaking to the effect that, they would vacate the encroached premises and will hand over the possession of the encroached portion to the Municipal Council within a period of two months from today. Petitioner shall also tender an undertaking that, they will not create any third party interest and will not change the nature of the site, during the period of their occupation. Undertaking shall be tendered within a period of two weeks. Subject to presentation of undertaking as above, Municipal Council shall not take any coercive measure, for eviction of the petitioners, until expiry of period of two months from today. If the petitioners fail to hand-over the possession of the encroached area to the Municipal Council, within two months, it would be open for the Municipal Council to adopt coercive means and recover back the possession of the encroached premises.

2 With the directions as above, writ petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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