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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.7 OF 2012 WITH
CIVIL APPLICATION NO.81 OF 2013 WITH
CIVIL APPLICATION NO.108 OF 2013

Vikas Madhukar Ambade ...Petitioner
vs.
District Collector, Raigad & Ors. ...Respondents

Mr.Suhas Devkar i/b Mr.C.G.Gavnekar for the
petitioner
Mr.Sachin Pawar for the applicant in CAI 81 of 2013
Mr.Kuldeep pawar i/b Mr.S.M.Gorwadkar for the
respondent Nos.7,8,10,11,13 and 18.
Mr.V.S.Gokhale, AGP for respondent Nos.1 to 5 and
for applicant in CAI 108 of 2013.
Ms Teja Katdare for respondent No.6

CORAM : A.S.OKA, &
A.K.MENON, JJ.
DATE : FEBRUARY 23, 2015

P.C.:

1 The learned counsel representing the applicants in Civil Application No.81 of 2013 has placed on record a copy of the order dated 15th April 2013 passed by the Collector of the District Raigad. It appears from the order that the petitioner was a party to the proceedings before the District Collector. By the said order, some of the illegal structures were ordered to be considered for regularisation and a direction has been issued for removal of encroachment on the land bearing CTS No.1143 (Original Survey No.89-A) by following a procedure under section 50 of the Maharashtra land

Revenue Code,1966.

2 Therefore, nothing will survive in this petition considering the prayers made in this petition. However, the State Government will have to file a report as regards the compliance with direction to remove the encroachments on the land bearing CTS No.1143. If the petitioner is aggrieved by any part of the order dated 15th April 2013, it is for him to adopt appropriate remedy in accordance with law.

3 Accordingly, we pass the following order:

- (I) PIL is disposed of in the light of the order dated 15th April 2013;
- (II) It will be open for the petitioner to challenge the said order in accordance with law if he is aggrieved by the said order;
- (III) We direct the Tahsildar,Roha to file an affidavit within a period of one month from today reporting compliance with the directions issued by the District Collector, Raigad for removal of the encroachments on CTS No.1143;
- (IV) Civil Application Nos.81 and 108 of 2013 do not survive and the same are disposed of;
- (V) For considering the compliance affidavit, the petition shall be listed on 30th March 2015 under the caption `Directions'.

(A.K.MENON,J.)

(A.S.OKA,J.)