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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.89 OF 2015
IN
PUBLIC INTEREST LITIGATION NO.189 OF 2014

Mohan Kacharu Patil and Anr.	..Applicants.
V/s.	
Gangaram Govind Patil and Ors.	..Respondents.

Mr.Prashant Govind Karande for the applicants.
Mr.Bhushan Walimbe i/b. Mrs. Preeti Walimbe for the respondents.
Mrs.M.P. Thakur, AGP for respondent Nos.5 to 9.
Mr.R.S. Apte, Senior Advocate i/b. Mr.Rohit P.Sakhadeo for respondent No.10.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 14TH SEPTEMBER, 2015

P.C. :-

1. Heard the learned counsel appearing for the Applicants and the the learned counsel appearing for the other parties. The Applicants have filed an undertaking on record dated 8th September, 2015. We accept the said undertaking.

2. As far as (a) is concerned, the order directing construction of fencing has been already modified. Without going into the issue of title claimed by the Applicants, as they have given

an undertaking to protect the mangroves, the prayer clause (b) deserves to be granted.

3. Accordingly, we dispose of the application by passing the following order:-

- (i) Application is allowed in terms of prayer clause (b);
- (ii) The order appointing the Court Receiver is modified and it is directed that the applicants will act as the Agent of the Court Receiver without payment of any royalty and without any security. A formal agency agreement shall be executed by the Court Receiver within a period of two weeks from today.
- (iii) Application is disposed of in above terms.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)

C E R T I F I C A T E

Certified to be true and correct copy of original signed
Judgment / Order.