

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAO NO. 444 OF 2014 AND MCA ST. NO. 4577 OF 2014
IN WRIT PETITION NO. 3823 OF 2013

(Jivan Shikshan Sanstha, Amravati vs. Amravati Municipal Corporation thr. Commissioner & Ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
Z.A. HAQ, JJ.
SEPTEMBER 07, 2015.**

Heard Shri Kothale, learned counsel for the applicant.

The prayer is to condone delay of five days in filing MCA for review of the order dated 27.01.2014.

We have rejected Writ Petition No. 3823 of 2013 on that date after noticing that the petitioner was dispossessed in 2010 itself. The fact that the said dispossession was within the knowledge of the petitioner has also been noted by us. The petition filed 2½ years after dispossession was, therefore, not entertained.

The present review has been sought on the ground that the limitation should have been counted from a subsequent resolution of Standing Committee by which the Committee resolved to restore possession on 17.11.2012.

The prayers in the petition as filed show a grievance about dispossession. By prayer (i) declaration was sought for dispossession as on 08.03.2010 is illegal. By second prayer direction was sought to

Respondent Nos. 1 & 2 “to retain possession”. Third prayer is interim prayer.

In this situation, the grievance as raised has been rightly looked into by this Court. As there is no case made out, there is no question of issuing notice here. Both the applications are rejected.

JUDGE

JUDGE

*GS.