

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

C.A.W.NO. 1304/2014 IN W.P.NO. 963/2005.

Shri Bipin Kantilal Joshi and others.

VERSUS

State of Maharashtra and others.

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

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI
AND A.P. BHANGALE, JJ.

DATE : FEBRUARY 17, 2015.

Heard Shri V.A. Dhabe, learned Counsel for the applicants, Shri N. Rode, learned A.G.P. for respondent no.1, Shri J.B. Kasat, learned Counsel for respondent no.2, Shri S.K. Mishra, learned Counsel for respondent no.3 and Shri A.M. Ghare, learned Counsel for respondent no.5.

Prayer is to modify the order dated 30.03.2005, passed in Writ Petition No. 1304/2005.

Submission is, demolition contemplated in 2005 has taken place in March, 2014. It is contended that because of this the amount of compensation payable to the petitioners in terms of order dated 30.03.2005, is rendered illusory and hence, order should be modified.

The applicants/petitioners have been occupying the structure from 2005 to 2014. They have not pointed out any steps taken by them against the Builder for not paying compensation.

Respondent no.5 has filed reply and denied any demolition.

We, therefore, find that grievance between the applicants and builder is purely of private nature which need not be gone into and cannot be gone into in present Civil Application or Writ Petition. Hence, with liberty to the applicants to take such other steps as are available to them in law, we dispose of the present Civil Application. No costs.

Rgd

JUDGE

JUDGE