

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3327 /1998

(Abhay s/o Bhaiyyaji Bansod and another vs. The 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 order

None for the petitioners.

Shri Nitin Rode, Assistant Govt. Pleader for Respondent Nos.1,2 & 5

CORAM : SMT. VASANTI A. NAIK &
A.I.S. CHEEMA, JJ.

DATED : 12th October, 2015.

None appears for the petitioners.

By this petition, the petitioners seek a direction to the State of Maharashtra to cancel the allotment of plot in favour of the last respondent and ask it to vacate the premises within a stipulated period. A direction is also sought against the Nagpur Improvement Trust to take immediate action against the unauthorized construction made by the last respondent on the plot in question.

It appears, on a perusal of the Writ Petition and on hearing the learned Assistant Government Pleader, that no interim relief was granted in favour of the petitioners herein. In fact, this Court had made it clear while admitting the Writ Petition,

that the pendency of the petition should not come in the way of the parties for seeking regularization of the structure that was already erected by the last respondent.

In view of the long pendency of the Writ Petition, it appears that the petitioners may not be interested in prosecuting the Writ Petition, especially in the absence of interim relief. In the circumstances of the case, we dismiss the Writ Petition for want of prosecution.

JUDGE

JUDGE

sahare