

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 1233 OF 2016

Dilip s/o Mariba Dhawale

... Petitioner

Versus

The Chief Officer, Municipal Council & another ... Respondents

.....

Mr. S. P. Salgar, Advocate for petitioner

Mr. M. P. Tripathi, Advocate for respondent No.1

.....

CORAM : SUNIL P. DESHMUKH, J.

DATE : 8th JUNE, 2016

ORDER :

1. Heard learned counsel for the appearing parties extensively.

2. The situation appears to be that the alleged illegal construction has been complained of in 2013 and the matter is prosecuted against the present petitioner by respondent No.1. It appears that the matter is pending since October 2015, alleged illegal construction is contended to be existing from 1972, instead of going into rival contentions at this

stage, the situation can be met with by directing the parties to maintain *status-quo* in respect of alleged illegal construction for a period of three months, within which the trial court should proceed with the suit and dispose of the same. As such, following order;

3. The suit be proceeded with as expeditiously as possible and disposed of preferably within a period of three months from the date of receipt of writ of this order. For said period of three months, *status-quo* as on the date be maintained.

4. Writ petition, accordingly, stands disposed of.

5. It is made clear that the writ petition is not decided on merit and as such, the trial court to decide the suit on its own merits, without getting influenced by this order.

(SUNIL P. DESHMUKH, J.)

sms