

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.38 OF 2016
IN
WRIT PETITION NO.5373 OF 2006

NANDED EDUCATION SOCIETY,
THROUGH ITS SECRETARY

APPLICANT

VERSUS

NANDED-WAGHALA MUNICIPAL CORPORATION
AND OTHERS

RESPONDENTS

Mr.Raghavendra Bhise h/f Mr.S.V.Natu, Advocate for the applicant.
Mr.R.K.Ingole Patil, Advocate for respondent No.1.
Mr.P.R.Katneshwarkar, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 12/01/2016

PER COURT :

1. The applicants, by this application, seek permission to settle the dispute amongst the parties. This Court, by its order dated 20/11/2006 has admitted the writ petition and has protected the possession of the applicant / Educational Society over the property at issue.

2. The applicant refers to Section 481(1)(h) and (i) of the Maharashtra Municipal Corporations Act, by which the Standing Committee can admit or compromise any claim or suit or legal proceedings brought against the Corporation or against the Commissioner or any Officer or servant of the Corporation.

3. The document at page no. 8 is pointed out to be a Resolution passed by the Standing Committee by which the powers have been vested in the Commissioner to settle the dispute. Pursuant thereto, the Corporation, through its Commissioner, has addressed the applicant by its letter dated 18/10/2015 requesting for making an application to this Court for settling the dispute between the parties in the light of the Resolution No.77 passed by the Standing Committee.

4. Learned Advocates for the non-applicants support the request of the applicant as set out in this application.

5. Considering the above, this application is allowed in terms of prayer clause 5(A).

(RAVINDRA V. GHUGE, J.)