

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**BENCH AT AURANGABAD**

**WRIT PETITION NO.440 OF 2016**

Municipal Council Dondaicha - Varvade,  
Tq-Sindkheda, Dist-Dhule,  
Through the Chief Officer.

**...PETITIONER**

**VERSUS**

Government of India,  
Through the Secretary,  
Ministry of Housing and Urban Poverty  
Alleviation, New Delhi  
and others.

**...RESPONDENTS**

...

Mr.Milind Patil Advocate for Petitioner.  
Mr. B.B. Kulkarni Advocate for Resp. Nos.  
1, 4 and 5.  
Mr. S.S. Dande, A.G.P. for Resp. Nos.2, 3 & 7.  
Mr.B.V. Virdhe Advocate for Resp. No.6.

...

**CORAM: R.M. BORDE AND  
A.I.S. CHEEMA, JJ.**

**DATE : 1ST MARCH, 2016**

**ORDER :**

1. Since the Hon'ble Minister has withdrawn

the stay order on 11th February 2016, the grievance raised by the Petitioner, substantially, stands redressed. The order of withdrawal of stay has been communicated to various authorities of the State Government and it would be their responsibility to act in accordance with law and co-operate the Municipal Council in the matter of removal of encroachment. No further directions need be issued in that regard.

2. It is clarified that it would be open for the Municipal Council to approach the concerned authority as well as the State Government in case of occurrence of any difficulty and it would be obligatory on the concerned authorities of the State Government to consider the difficulties faced by the Municipal Council.

3. In view of above, the Writ Petition stands disposed of.

4. Pending Civil Applications do not survive  
and stand disposed of.

**[A.I.S. CHEEMA, J.]**

asb/MAR16

**[R.M. BORDE, J.]**