

pmw

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1385 OF 2013

Abhijit Marketing Pvt. Ltd. and Ors.	... Petitioners
Versus	
Nashik Municipal Corporation and Ors.	... Respondents

Mr. R.A. Thorat, Senior Advocate Mr. P.J. Thorat for the Petitioners.
Mr. M.L. Patil for the Respondent Nos.1 and 2.
Mr. V.P. Malvankar, AGP 'A' Panel for the Respondent No.3.

CORAM : A.S. OKA &
C.V. BHADANG, JJ.

DATE : 1st FEBRUARY, 2016

PC.

1. Heard the learned Senior Counsel appearing for the Petitioners and the learned counsel appearing for the Respondent Nos.1 and 2 and the learned AGP for the third Respondent. The letter dated 1st February, 2016 addressed to the Advocate for the Petitioner by the second Respondent is taken on record and marked 'A-1' for identification. The statements made therein are accepted.

2. What is stated in the said letter dated 1st February, 2016 reads thus :-

“In the above Writ Petition, as per Sale Deed produced by the petitioner, and Town Planning scheme no II record it

seems that F.P. No.68B totally admeasuring 1255.00 Sqm is allotted to the petitioner. The Nashik Municipal Corporation will initiate steps to implement the scheme in respect of final plot no.68B and adjacent plots if necessary.”

3. The learned counsel appearing for the first and second Respondents states that a reasonable time may be granted to the said Respondents to take steps to enable the said Respondents to hand over the vacant possession of an area admeasuring 1255 square meters out of the final plot No.68B of the T.P. Scheme Nashik No.II (Final).

4. In view of the statements made in the letter, we dispose of the Petition by passing the following order :-

ORDER

- (i) We direct the first and second Respondents to hand over vacant and peaceful possession of Final Plot No.68B admeasuring 1255 square meters of Town Planning Scheme, Nashik No.II (Final) to the Petitioners as expeditiously as possible and in any event on or before 31st July, 2016;
- (ii) The Petition is disposed of on above terms.

(C.V. BHADANG, J)

(A.S. OKA, J)