

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.61 OF 2016

Subodhkumar Krishnavallabh Das. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—
Shri Mohan B. Jadhav for the Petitioner.
Shri Mohit Jadhav, AGP for the Respondent Nos.1, 3 and 4.
Shri Omkar Kulkarni i/b Shri Y.M.Chaudhari for the Respondent No.2.
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CORAM : A.S. OKA &
SMT.ANUJA PRABHUDESSAI, JJ

DATED : 1ST DECEMBER 2016

PC.

1. Heard learned counsel appearing for the Petitioner, the learned AGP for the first, third and fourth Respondents and the learned counsel appearing for the second Respondent. Our attention is invited to the order dated 9th March 2006 passed by this Court in Writ Petition (L) No.544 of 2006. In Clause (b) of Paragraph 11 of the Petition, the Petitioner has contended that the Additional Collector (Encroachment) has not yet decided his claim of eligibility.

2. The learned AGP has no instructions on this aspect. Hence, we pass the following order:

ORDER :

- (a) We direct the Petitioner to remain present before the Additional Collector (ENC & REM)- third Respondent on 19th December 2016 at 11.00 a.m.;
- (b) The Petitioner shall produce an authenticated copy of this order as well as the order dated 9th March 2006 passed in Writ Petition (Lodging) No.544 of 2006 before the third Respondent on the date fixed for appearance;
- (c) If the third Respondent has already decided the issue of eligibility of the Petitioner in terms of the order dated 9th March 2006, a copy of the order passed by the Additional Collector-third Respondent shall be supplied to the Petitioner on the date fixed for appearance;
- (d) If the third Respondent has not complied with the order dated 9th March 2006, he shall comply with the same as expeditiously as possible and in any event on or before 31st January 2017. A copy of the order passed by him be supplied to the Petitioner;

- (e) The Petition is disposed of on above terms;
- (f) All contentions on merits are kept open;
- (g) The third Respondent shall act upon an authenticated copy of this order.

(SMT.ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)