

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Second Appeal No. 18 of 2013
[The City of Nagpur Corporation Vs. Kazi Shahabuddin Ikramuddin & another]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. J.B. Kasat, Adv., for the appellant.
Mr. S.S. Ahmad, Adv., for respondents.

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CORAM : A.B. CHAUDHARI, J.

DATE : 21st March, 2016

Learned counsel for the appellant makes a statement that the appellant, Municipal Corporation, caused an enquiry through the Officers of the Municipal Corporation, which reveals that at present the suit premises are vacant and remain in a locked condition. Mr. Ahmad, learned counsel for the respondents, landlords, states that the respondent no.2, landlord, is in possession of the suit premises. The statements made by both Mr. Kasat and Mr. Ahmad are accepted.

Mr. Ahmad further states that the other property belonging to the respondents is a valuable property admeasuring 1500 sq.ft., and possession thereof would be taken. But then the Corporation is not taking any

action in respect of the encroachers thereon despite complaints, which is causing severe loss to the Masjit Trust. If that is so, the Corporation, who is a responsible authority, is required to act on the complaint and take action according to law.

At any rate, in so far as the present appeal is concerned, the same can be disposed of in view of the above statements. In the result, I make the following Order:-

ORDER

- [a]** Second Appeal No. 18 of 2013 is disposed of accepting the statements made by the counsel for the parties that the suit premises is in possession of Respondent No.2, Hazrat Masjit Trust.
- [b]** No costs.

Judge