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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION No.33 OF 2015

Sanjay Wasantrao Hingne

-Vrs.-

The Collector, Buldhana and Ors.

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

Court's or Judge's orders.

Mr. P.S. Kshirsagar, counsel for petitioner.
Mr. D.P. Thakare, AGP for respondent nos. 1.
Mr. M.S. Sharma, counsel for respondent no.2.
Mr. R.L. Khapre, counsel for respondent no.4.

CORAM : B.R. GAVAI AND P.N. DESHMUKH, JJ.

DATED : 4th FEBRUARY, 2016

The present petition was filed by the petitioner contending therein that the respondent no.4 had made certain illegal construction and sought relief for demolition of the same.

The contention of the petitioner was found to be correct by the respondent no.3. As such, when the matter was listed before this court, Mr. Khapre, the learned counsel appearing for respondent no.4, had made a categorical statement that the respondent no.4 would change the said construction as per the directions of the respondent no.3 so as to bring it within permissible limits.

The respondent no. 3, Executive Engineer has filed his affidavit on 15.1.2016. It is stated in paragraph 4 as under:

“ I humbly submit that in view of the order dated 11.12.2015 the respondent no.4 in consultation with the answering respondent on certain conditions carried out the work as directed by the answering respondent. I humbly submit that, now, the work carried by respondent no. 4 as per direction of the answering respondent is completed in the premises of respondent no.4. The drain constructed by the respondent no.4 is sufficient to pass the natural discharge of the nala in the cross sectional area.”

In that view of the matter, we find that the purpose of the petition is served. Petition is disposed of as such.

JUDGE

JUDGE

Hirekhan