

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

Public Interest Litigation No.113/2015

Jaysingh s/o Shahu Chouwhan and anr. ..vs. The Collector, Yavatmal and ors.

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

Court's or Judge's orders

Ms U. R. Tanna, Advocate for petitioners.
Mr. M. K. Pathan, A.G.P. for respondents-State.

CORAM : B. R. GAVAI & V. M. DESHPANDE, JJ.

DATE : JUNE 9, 2016

It was the grievance of the petitioners that in the Azad Maidan, the entire area is being covered with paver's block. It was submitted that the said ground is the only recreation ground in the entire city of Yavatmal.

In view of the grievance made by the petitioners, we had requested Mr. Deepak Thakare, Additional Government Pleader to personally visit the spot and submit his report. Accordingly, Mr. Thakare has visited the spot on 19.03.2016. He has inspected the premises in presence of the officials of the Collector, Executive Engineer, officials of Nagar Parishad, Yavatmal, prominent citizens and both the petitioners. Accordingly, an affidavit is also filed on 28.03.2016.

The affidavit filed by Mr. Thakare shows that he has found that the entire Azad Maidan is covered with ordinary earth and no ultra tiles/pavement blocks are fitted anywhere on the entire land of Azad Maidan. It is further stated that it has been agreed amongst all that the two steps spectator gallery just behind the shops of the Municipal Council situated on the eastern side of the Azad Maidan shall be constructed. It is further stated that it has been further agreed that the pavement blocks shall be fitted for creating parking place in the corner of

Northwest side of the Azad Maidan. It was also agreed that the beautification of the statute of Lokmanya Bal Gangadhar Tilak and surrounding area shall be done. It is stated that it was agreed to file a joint pursis before this Court.

We find that in view of the report of the learned Additional Government Pleader, who has acted as Commissioner of this Court, it is not necessary to keep the matter pending.

As stated earlier in the affidavit filed by Mr. Thakare, there is an agreement amongst all the parties. As such, merely for the technicality of filing the of joint pursis, we do not find it necessary to keep the petition pending. We find that the petition has served its purpose.

In view of above, the writ petition is disposed of. The amount deposited by the petitioners is permitted to be withdrawn.

JUDGE

JUDGE