

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

PUBLIC INTEREST LITIGATION NO. 52 OF 2013

(Pradeepkumar s/o Popatlal Vakhariya vs. State of Maharashtra thr. Urban Development
Department thr. its Secretary & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.
JULY 04, 2016.**

Heard Shri H.R. Gadhia, learned counsel for the petitioner, Shri A.S. Fulzele, learned Additional Government Pleader for respondent Nos. 1, 3 & 5, Shri A.R. Deshpande, learned counsel for respondent No. 2, and Shri D.M. Kale, learned counsel for respondent No. 4.

Respondent No. 2 – Municipal Corporation has filed an affidavit pointing out that encroachments on public road from Jawahar Nagar Primary School, proceeding towards South joining Murtizapur road, shall be removed expeditiously by adopting due process of law.

Shri Gadhia, learned counsel submits that steps in that direction should be taken within the stipulated time.

Shri Fulzele, learned Additional GP and Shri Kale, learned counsel for the respective respondents submit that work of removal of encroachments is to be performed by the Municipal Corporation.

As encroachment is on the public road, it is obvious that Respondent No. 2 – Municipal Corporation has to initiate the necessary steps at the earliest so as to

accomplish the work of removal of encroachment.

We, therefore, direct that the necessary notices be issued within a period of six weeks from today.

With these directions, we dispose of the present Public Interest Litigation. No order as to costs.

JUDGE

JUDGE

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