

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

WRIT PETITION NO.3350/2016

Nikhil s/o Sudhakar Sawarkar and another
...Versus...
Union of India, through its Secretary, New Delhi and others

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

Court's or Judge's orders

Shri A.S. Ambatkar, Advocate for petitioners
Shri A.M. Quazi, Advocate for respondent no.4
Mrs. G.R Tiwari, AGP for respondent no.5

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : 29.11.2016

Heard.

By this petition, the petitioners seek a declaration that the reservation of the land of the petitioners by the Railways has lapsed and the petitioners are entitled to use the land for the purpose, as is permissible for the adjoining land.

The learned Counsel for the respondent no.4 states that the issue involved in this writ petition was also involved in Writ Petition No.3366/2016 and this Court has, by an order dated 23.11.2016 dismissed the writ petition. It is stated that similar order dismissing this writ petition should be passed, on parity.

Shri Ambatkar, the learned Counsel for the petitioners does not dispute the statement made on behalf of the respondent

no.4 and fairly admits that an identical issue was decided against the petitioners in Writ Petition No.3366/2016.

Hence, for the reasons recorded in the order dated 23.11.2016 in Writ Petition No.3366/2016, we dismiss this writ petition with no order as to costs.

JUDGE

JUDGE

Wadkar