

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

CRIMINAL WRIT PETITION NO.515 OF 2016

Yadorao S/o Maniram Meshram and anr

..VS..

The State of Maharashtra, thr Secretary of Home Department, Mantralaya,
Mumbai and ors

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

Court's or Judge's Order

Shri B.W. Patil, counsel for the petitioners.
Shri T.A. Mirza, Addll.P.P. for the respondents/State.

CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA K. JAIN, JJ.
DATED : DECEMBER 7, 2016.

Heard learned counsel Shri B.W. Patil for
the petitioners and learned Additional Public Prosecutor
Shri T.A. Mirza for the respondents/State.

We have perused the reply.

Learned counsel Shri B.W. Patil for the
petitioners submits that the land-owner withdrew the
civil suit and, as such, the petitioners continued in
possession of the suit premises as tenants. The
premises were, thereafter, highhandedly demolished
and all belongings/articles of tenants have been
removed by the land-owner.

Learned Additional Public Prosecutor Shri

T.A. Mirza for the respondents/State submits that demolition is by the Gram Panchayat as the shop blocks were dilapidated.

In this situation, we find that, at least for the present, no offence is made out. The tenants have already filed the suit for restoration of possession and for damages. They are entitled to raise all contentions in that suit.

Hence, leaving all rival contentions open and with liberty to the petitioners to take such other steps as are open to them in law, we dispose of the present criminal writ petition. No costs.

JUDGE

JUDGE

!! BRW !!

C E R T I F I C A T E

I certify that this Order/Judgment uploaded is a true and correct copy of original signed Order.

Uploaded by : Bhushan R.Wankhede.
(Personal Assistant)

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