

**THE HON'BLE SRI JUSTICE S.V.BHATT**

**WRIT PETITION No.15694 of 2016**

**ORDER:**

-

Petitioner challenges notice dated 18-04-2016 as illegal, arbitrary and concludes the disputed enjoyment by petitioner. In other words, according to petitioner, any final notice can be issued after following the procedure stipulated in this behalf by issuing a notice to petitioner, consider the explanation, determine the exact extent of encroachment and pass order directing removal.

I have perused the notice dated 18-04-2016 with the assistance of learned counsel for petitioner and learned Standing Counsel.

I am of the view that without getting into the polemic whether this has to be treated as show-cause notice or notice directing removal of encroachment, to meet the ends of justice, I am satisfied that this writ petition can be disposed of by this order.

Notice dated 18-04-2016 is directed to be treated as show-cause notice. The petitioner is given two weeks time from today to submit explanation to the said show-cause notice and within two weeks thereafter, the 4<sup>th</sup> respondent is directed to conduct enquiry and pass orders and communicate the same to petitioner. Subject to the outcome of such order, the 4<sup>th</sup> respondent is given liberty to take further steps required for removal of encroachment.

Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, the miscellaneous applications, if any pending,  
shall stand closed.

---

**S. V. BHATT, J**

Dt: 29-04-2016  
Prv