

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 543 OF 2017

JAGDISH LAXMINARAYAN ZAWAR AND ANOTHER  
VERSUS  
THE CHIEF EXECUTIVE OFFICER ZILLA PARISHAD JALNA AND  
OTHERS

...  
Advocate for Petitioners : Mr. Swapnil S. Rathi

.....

**CORAM : V. M. KANADE AND  
V. K. JADHAV, JJ.**

**DATED : 19<sup>th</sup> JANUARY, 2017**

**P.C. :-**

1. Heard.
2. Learned counsel appearing for the petitioners submits that the land was allotted to the petitioners and on that land, they have constructed the shops. Later on, the Gram Panchayat decided to reconstruct a shopping complex, having 130 shops.
3. The petitioners had filed writ petition No. 4839 of 2016 alongwith another writ petition. In the said writ petitions, a statement was made by the counsel appearing on behalf of Gram Panchayat that first the shops would be allotted to the petitioners and then remaining shops would be allotted to others. It was also stated that

they would repay the petitioners in writ petition No. 4863 of 2016, the remaining amount and if by mistake, additional rent is accepted, the same shall also be repaid. According to the petitioners, the same has not been repaid and till that time there will be direction not to demolish the old construction. This statement cannot be accepted. The statement of counsel for the Gram Panchayat has been accepted by this Court by order dated 3.5.2016. The petitioners had agreed to vacate the said shops, therefore, in view of the said order, the respondent Gram Panchayat may proceed with the demolition of the shops.

4. With the above observations, writ petition is disposed of.

**( V. K. JADHAV, J.)**

**( V. M. KANADE, J. )**

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