

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
BENCH AT AURANGABAD.**

WRIT PETITION NO.3372 OF 2017

Nandlal S/o Bansilal Bidada ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.G.L.Awale, advocate for the petitioner.
Mrs.M.A.Deshpande, Additional Government Pleader
for the State.

...

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

Date : 21.3.2017.

PER COURT :

1. Heard.

2. Learned counsel submits that the decision is not taken by the Respondents about the claim of the petitioner of allotment of open space. The petitioner is occupying open space in

other Government land. Till open space allotted to the petitioner, the petitioner may not be disturbed from the existing place.

3. Learned Additional Government Pleader, on instructions states that the proposal is forwarded to the Divisional Commissioner and the same is pending with the Divisional Commissioner for decision. The learned Additional Government Pleader further submits that in fact, the petitioner has made some encroachment on the Government land.

4. The petitioner shall give an undertaking before the Additional Commissioner that upon decision of the Additional Commissioner, with regard to the allotment of open space, the petitioner shall vacate the existing open space occupied by him. The Commissioner shall take decision in respect of the proposal submitted to him expeditiously, preferably within four (4) months.

5. The Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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