IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.10081/2012

Eknath Vithoba Ware.
...Petitioner..

Versus

The State of Maharashtra & others.
...Respondents...

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Shri K.R. Doke, Advocate for petitioner.
Shri Y.G. Gujarathi, AGP for respondent nos.1 to 3 & 7.
Shri S.S. Tope, Advocate for respondent nos.4 to 6.
Shri R.V. Naiknavare, Advocate for respondent no.8.
SHri A.R. Devkate, Advocate for respondent no.9.

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CORAM: R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.

DATE: 09.10.2017

ORDER :

1] Heard learned counsel appearing for the parties.

2] By this writ petition, the petitioner seeks a writ of mandamus or an order or direction against the respondent no.2 to take appropriate action against the respondent nos.8 to 11, who are allegedly responsible for demolition of the house of the present petitioner in alleged collusion with the respondent nos.12 & 13 and

also seeks compensation of rupees five lakhs.

3] A perusal of the record does not clearly indicate as to whether the structure in question was illegally demolished by the concerned officers or not.

4] The learned Collector, Osmanabad, is accordingly directed to conduct an enquiry and find out whether the structure in question was illegally demolished or not and if he comes to a conclusion that the same was illegally demolished, appropriate action against the concerned officer may be initiated in accordance with law. An enquiry shall be conducted within four months from the date of communication of this order. Conclusion of the enquiry shall be communicated to the petitioner and the concerned respondents.

4] Writ petition is disposed of in aforesaid terms. No order as to costs.

(SUNIL K. KOTWAL, J.) **(R.D. DHANUKA, J.)**