

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 9843 OF 2013

Shaikh Shakeel Sultan and Others

.....Petitioners

V/s.

Nandgaon Municipal Council, through
Chief Officer and Ors

....Respondents

Mr. S. M. Gorwadkar, senior counsel i/b Mr. Ravi Shinde, Sujay Gangal for
the petitioner.

Mr. Sagar Kasar for respondent nos. 5,8,9,10,11 & 18.

Mr. Manish P. AGP for the State.

**CORAM : SMT. VASANTI A. NAIK,
RIYAZ I. CHAGLA, JJ.
DATE : OCTOBER 3, 2017.**

P.C.

The only prayer made by the petitioners in the instant petition is for a direction to the respondent no. 1-Nandgaon Municipal Council and the respondent no. 4-Designated Officer to remove the encroachment on Bhongale Road in village Nandgaon by exercising the powers under section 178 (3) of the Maharashtra Municipal Council Nagar Panchayat and Industrial Township Act and under Section 53 to 56 of M.R.T.P. Act.

During the pendency of the writ petition, in pursuance of the order

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dated 12/07/2017, the Taluka Inspector of land records Nandgaon has carried out the survey and demarcation work and has submitted a report. As per the report, some encroachment is made on the Bhongale Road by the respondent nos. 5 to 20.

The learned counsel for respondent no. 1 Municipal Council states that the action for removal of encroachment would be taken in pursuance of the report of the Taluka Inspector of land records. It is submitted on instructions from the Chief Officer of the Municipal Council who is present in the Court today that the encroachment would be removed as early as possible.

In view of the statements recorded herein above, we dispose of the writ petition with a direction to the respondent no. 1-Municipal Council to remove the encroachment as early as possible and positively within 4 months.

Order accordingly. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]