

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

**C.A.W. NO. 1394/17 IN WRIT PETITION NO. 4931 OF 2008.**

**(Shani Sewa Sarvajanic Charitable Trust, Nagpur .vs. State of Maharashtra & others)**

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Office Notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's orders

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Mr. M.K. Kulkarni, Advocate for petitioner/applicant,  
Mr. S.Y. Deopujari, G.P. for respondent no. 1,  
Mr. S.M. Puranik, Advocate for respondent nos. 2 & 3.

**CORAM : B.P. DHARMADHIKARI & MRS. SWAPNA S. JOSHI, JJ.**

**DATED : DECEMBER 4, 2017.**

1] Identical application vide C.A.W. No. 1339/17 was dismissed on 28.6.2017 with following order :-

“None for the petitioner/appellant even on second call.

2. Removal of encroachment of religious structures is considered by this Court and some time bound directions are already issued. In this situation, Civil Application is dismissed. No costs.”

2] Thereafter matter was listed on 6.7.2017 and on 14.7.2017. On 14.7.2017 as there was nobody for applicant, matter came to be adjourned for orders on C.A.W. No. 1394/17. By that C.A.W., prayer is made for recalling order dated 28.6.2017 reproduced supra.

3] We have heard respective Counsel.

4] Mr. M.K. Kulkarni, learned Advocate for petitioner, seeks reasonable time to shift the temple to alternate place. Mr. S.M. Puranik, learned Advocate for respondent nos. 2 & 3, strongly opposes any intervention. He submits that time of 48 hours was already given to applicants to shift it after all these orders.

5] The history mentioned supra clearly shows the delaying attitude of the petitioner. No case is made out for intervention by this Court. Accordingly, we dismiss the C.A.W. No. 1394/17 and also Writ Petition No. 4931/08. No costs.

**Judge**

**Judge**

J.