

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

13 CIVIL APPLICATION NO. 1801 OF 2018
IN SA/443/2004 WITH CA/1800/2018 IN SA/443/2004

JAHEDABEE MAHEMOOD SHAIKH AND ANOTHER
VERSUS
SUSHILABAI MAHADEO SHINDE AND OTHERS

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Advocate for Applicants : Mr. Deshpande Gaurav L
Mr. A. B. Kale & M.P. Kale For Non-App No. 3;
Mr. B. L. Sagar Killarikar for Non-applicant No.1.

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CORAM : P.R. BORA, J.
Dated: June 22, 2018

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PER COURT :-

1) When the present application is taken up for hearing, learned counsel appearing for applicants sought time to make the submissions.

2) Shri Sagar, learned counsel appearing for non-applicant No.1 brought to my notice that the application filed by the applicants is premature since even notification for acquisition of the subject lands is not yet issued. The learned counsel also pointed out the decision rendered by the Division Bench of this Court in Writ Petition No. 10836/2017.

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3) On perusal of the application and the order passed by the Division Bench of this Court, as aforesaid, I see substance in the submission made by Shri Sagar that the present application is premature.

4) In the circumstances, it does not appear to me that there is any point in keeping the present application pending since it is a premature application. The application stands disposed of. However, it would be open for the applicants to approach this Court as and when occasion arises.

(P.R. BORA, J.)

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