

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

PUBLIC INTEREST LITIGATION NO.20 OF 2018

Gangaraeddy s/o.Bhumanna Bainamvar **PETITIONER**

VERSUS

- 1.The State of Maharashtra.
- 2.The Collector, Nanded.
- 3.The Sub-Divisional Officer, Kinwat,
Dist.Nanded.
- 4.The Municipal Council, Kinwat,
Tq.Kinwat, Dist.Nanded.

RESPONDENTS

...

Mr.U.B.Bilolikar, Advocate for the petitioner
Mr.A.B.Girase, GP for the respondent/State

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**CORAM: S.S. SHINDE AND
S.M.GAVHANE, JJ.**

DATE : 31.01.2018

ORDER:

1] Not on board. Taken on board.

2] It is the contention of the learned counsel appearing for the petitioner that, in spite of the directions given by the District Collector, Nanded, no steps are being taken by the Chief Officer, Nagar Parishad, Kinwat, District Nanded, for removal of encroachment.

3] In our opinion, the ends of justice would be met in case respondent no.4 is directed to comply with the directions issued by the Collector

for removal of encroachment, and respondent no.2 to ensure expeditious compliance of the said directions.

4] In the light of above, we dispose of this Public Interest Litigation.

5] Needless to observe that, while implementing the directions given by the Collector to respondent no.4, respondent no.4 shall adhere to the relevant provisions / relevant procedure under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965, and any other laying down procedure for removal of encroachment.

6] We have not expressed any opinion on merits of the contentions raised in the PIL or about *inter-se* communication between respondent nos.2 and 4.

[S.M.GAVHANE]
JUDGE

[S.S.SHINDE]
JUDGE

DDC