

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11446 OF 2018

ANIRUDDHA S/O RAMBHAU TIDKE
VERSUS
THE COLLECTOR, BEED AND OTHERS

.....

Advocate for the petitioner: Mr. R.B. Deshmukh h/f Mr. Vivek Bhavthankar

A.G.P. for respondent Nos. 1 and 2: Mr. S.B. Pulkundwar

Advocate for respondent Nos. 3 and 4: Mr. V. M. Chate

.....

CORAM : N. M. JAMDAR, J.
DATED : 12 DECEMBER 2018

PER COURT:-

1. Heard the learned counsel for the parties.
2. By this petition, the petitioner has challenged the order passed by the learned Civil Judge, Senior Division, Majalgaon, dated 4 October 2018 granting police protection to the respondent Nos. 3 and 4.
3. In view of the stand taken by the learned counsel for the respondents-defendant Nos. 3 and 4 in whose favour the impugned order is passed, it is not necessary to consider the matter in detail. The grievance of the petitioner is that the petitioner was not heard when the application filed by the respondent Nos. 3 and 4 was allowed by the learned Civil Judge, Senior Division. The learned

counsel for the respondent-defendant Nos. 3 and 4 states that in view of the ad-interim order granted in this petition, the issue regarding police protection has not been proceeded further. He states that the impugned order be set aside and the learned Civil Judge, Senior Division can decide the application after giving opportunity to the parties.

4. In these circumstances, the impugned order dated 4 October 2018 is quashed and set aside. The application filed by defendant Nos. 3 and 4 below Exh.54 stands restored to file.

5. The learned Civil Judge, Senior Division, will give opportunity to both sides before passing any order on application below Exh.54. The learned Civil Judge, Senior Division will make endeavour to dispose of the application within a period of four weeks from today, if there is no other earlier time bound directions.

6. The writ petition is disposed of accordingly.

(N. M. JAMDAR, J.)

rlj/