

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11863 OF 2017

Shri. Madhukar Krushnaji Waghchoure ... **Petitioner**

V/s.

Nashik Municipal Corporation & Anr. ... **Respondent**

**WITH
WRIT PETITION NO. 11862 OF 2017**

Shri. Shivaji Damodar Shinde ... **Petitioner**

V/s.

Nashik Municipal Corporation & Anr. ... **Respondent**

**WITH
CIVIL APPLICATION NO. 567 OF 2018
IN
WRIT PETITION NO. 11862 OF 2017**

Nashik Bar Association ... **Applicant**

IN THE MATTER BETWEEN:

Shri. Shivaji Damodar Shinde ... **Petitioner**

V/s.

Nashik Municipal Corporation & Anr. ... **Respondent**

**WITH
CIVIL APPLICATION NO. 568 OF 2018
IN
WRIT PETITION NO. 11863 OF 2017**

Nashik Bar Association ... **Applicant**

IN THE MATTER BETWEEN:

hri. Madhukar Krushnaji Waghchoure

... **Petitioner**

V/s.

Nashik Municipal Corporation & Anr.

... **Respondent**

Mr. Sachin Gite for the Petitioner in WP/ 11863/2017.

Mr. Girish Agrawal for the Petitioner in WP/11862/2017.

Mr. Pravartak Pathak for the Applicant in both Civil Applications.

Mr. Rupesh Lanjekar I/b Murlidhar Patil for the Respondent No.1.

Mr. S.R. Nargolkar for Respondent No.2.

Ms. G.R. Golatkar, AGP for the State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 14th AUGUST, 2018

P.C.:

. Civil Applications of the intervenor are allowed and disposed of.

2 Pursuant to the order dated 13.07.2018, one of the petitioners namely Shivaji Damodar Shinde who is disabled person having 70% of disablement and the other Petitioner is occupying the premises with licence from the corporation since last 20 years. They have also sought permission from the learned Principal District Judge of Nashik Court. In view of this, the grievance of the Bar Association, Nashik though it is argued vehemently before this Court cannot be justified.

3 However, the petitioners are directed to file written undertaking on or before 30.08.2018 before the learned District Judge in Regular Civil Appeals No.

382 of 2016 and 383 of 2016. They shall file undertaking that they shall vacate the premises as and when Nashik Raod Court will shift in a new Court building which is going to be constructed within a period of one year. Till then, the Corporation shall not take any coercive action against these petitioners .

4 In view of this, both writ petitions are disposed of.

(MRIDULA BHATKAR, J.)