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

**CIVIL APPLICATION NO. 2651 OF 2018
IN
WRIT PETITION NO.6388 OF 2018**

The State of Maharashtra	...Applicant.
In the matter between	
Sub.Maj/Hon.Capt.Balasaheb Anandrao	
Jamdar & Ors.	...Petitioners.
vs	
The State of Maharashtra & Ors.	...Respondent.

.....
Mr A.B.Vagyani GP a/w Mr P.P.More AGP for the Applicants/
Respondent Nos.1,2
Mr V.P.Sawant a/w Mr Ajit Kenjale for the Petitioner.
Mr Rupesh Lanjekar for Respondent No.3.
Mr Kishor Shingole, Circle Officer, Wagholi present
Mr Swapnil Patange, Talathi present.

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**CORAM : B.P.COLABAWALLA, J.
DECEMBER 21, 2018.**

P.C. :

This Civil Application has been filed by the State through the Collector, District : Pune, seeking permission of this Court to allow the public at large to enter upon the suit land from 30th December, 2018 to 2nd January, 2019 to pay homage to the victory pillar and to arrange and perform the social functions and other programmes upon the suit property. The additional prayer that is sought is that to facilitate the public to visit the said victory pillar, the State may be

permitted to enter upon the suit land from 22nd December, 2018 so as to make the necessary arrangements for the visit of the public.

2 Mr Vagyani, learned G.P. appearing on behalf of the State has stated before me that once the function is over they shall restore back the suit land in the same position as it was prior to 22nd December, 2018.

3 On this statement being made on behalf of the State, the learned advocate appearing on behalf of the Petitioner states that he has no objection to the aforesaid request of the State.

4 In these circumstances, the following order is passed.

- (i) The State Government is permitted to enter upon the suit land from 22nd December, 2018 to make necessary arrangements so as to allow the public at large to visit victory pillar from 30th December, 2018 to 2nd January, 2019. Once this period expires on 2nd January, 2019, the State shall restore the status of the suit land (as it was on 22nd December, 2018), by 12th January, 2019;
- (ii) Though permission is granted to enter upon the suit land for this limited purpose, under no circumstances, the Petitioner should be

dispossessed under the guise of this permission.

5 It is the case of the Government that the Petitioner is guilty of disobeying the status-quo order passed by this Court on 8th August, 2018 by cultivating the crops on the suit land. If the Government is aggrieved by the said action, it is always open to them to take out an appropriate application for restoring the status-quo ante as on 8th August, 2018 and which application shall be decided on its own merits and in accordance with law;

6 The Civil Application is disposed of in the aforesaid terms. There shall be no order as to costs.

(B.P.COLABAWALLA, J.)