

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION [W] NO. 1864/2018
IN WRIT PETITION NO. 2136/2016.

Ashok Narayanlal Agrawal

-VERSUS-

The Collector, Buldhana and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B.P. DHARMADHIKARI
& M. G. GIRATKAR, JJ.

DATE : AUGUST 28, 2018.

Heard Shri D.P. Thakare, learned Addl.G.P.

for applicant / respondent no.2 and Shri S.K.
Bhandakrar, learned Counsel for original petitioner.

2. Learned counsel for original petitioner
initially sought adjournment, then pass over and
thereafter lastly states that he has not been instructed
in the matter. We therefore, proceed in absence of
petitioner.

3. Facts recorded in order clearly show that
intention was only to safeguard the structure of

2

petitioner and not to demolish it. Road widening, without damaging the structure therefore, is permitted to go on.

4. In this backdrop, paragraph no.5 of the judgment dated 05.04.2018, which makes rule absolute in terms of prayer clause [b], appears to be incongruent. Accordingly the same is substituted and following paragraph be read as paragraph no.5.

“5. *Rule is made absolute accordingly in above terms.*”

5. Civil Application is accordingly allowed and disposed of. No costs.

JUDGE

JUDGE

Rgd.