

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.24992 of 2012

ORDER:

The petitioners apprehending forcible dispossession from door numbers covered by the writ prayer have filed the instant writ petition.

On 13.08.2012, this Court granted status-quo to be maintained by both the parties till the next date of hearing. The writ petition is listed for further hearing.

The respondent in paragraph '8' has stated thus:-

"I submit that the other allegations in the writ petition are all false and fabricated. For the purpose of the writ petition only, the ration cards of the petitioners will not confer any title of the petitioners who have encroached upon the tank bund. The main road has also become narrow because of the petitioners encroachments and their business activities. The main road in the village is day by day reducing because of the petitioners encroachments. About 300 villagers represented before the gram panchayat on 28-5-2012 to protect the water tank which is being used by all the villagers. In view of the said representation the encroachments on the tank bund have to be removed. If the petitioners are willing to remove the encroachments on their own the gram panchayat is ready to grant time for them. Otherwise the gram panchayat after obtaining all the permissions from the concerned authorities will follow the due process and encroachments of the petitioners would be removed. Hence, the writ petition is devoid of merits and the interference of this Hon'ble Court is not warranted the writ petition has to be dismissed in limini."

The statement is placed on record and accepted.

The respondent is directed not to interfere with the petitioners' enjoyment or right except in accordance with law.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 04-04-2018
Prv

