

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1529 OF 2018

SHAIKH SHAKEEL SHAIKH GULAB
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :
Mr. Sayyed Tauseef Yaseen
ADDL.G.P. for Respondents No. 1 to 3 :
Mrs. A. V. Gondhalekar
Advocate for Respondents 4 (1) to 4 (5) :
Mr. Joshi Rahul G. and Mr. Hashmi Taufeeque Ahmed
Advocate for Added Respondent :
Mr. S. V. Adwant

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.

DATE: 20th FEBRUARY, 2019

PER COURT :

1. At the request of learned Advocate for the petitioner, leave to add party. Mr. Adwant, learned Advocate appears for the added party.

2. We have heard Mr. Sayyed, learned Advocate for the petitioner, so also, the learned Advocate for the respondents.

3. According to the learned Advocate for the petitioner, the petitioner has filed suit for partition and separate possession. The petitioner has right, title and interest in respect of the property which has been acquired by the added respondent by private negotiations. The added party is now disbursing the compensation amount to respondent no. 4.

4. The land is acquired by the added party from respondent no. 4 under private negotiations and under execution of the sale deed. It will not be possible for this Court to enter into the private dispute amongst the parties. The petitioner has also filed suit for partition and separate possession. The petitioner is at liberty to obtain orders as may be permissible in law in the pending civil suit or as may be permissible and the interim order passed by this Court should continue for the period of seven days only. On lapse of seven days, interim order passed by this Court shall come to an end.

5. Writ Petition is disposed of. All contentions of respective parties are kept open. No costs.

6. Authenticate copy be provided.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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