

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.**

10 WRIT PETITION NO.4535 OF 2019

CHARANSINGH SHAMSINGH AKBARWALE .. Petitioner

Versus

THE STATE OF MAHARASHTRA AND OTHERS ..Respondents

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Advocate for Petitioner : Shri G.G. Suryawanshi

AGP for Respondent – State : Shri K.S. Patil

Advocate for Respondent No.4 : Shri Y.K. Bobde

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CORAM : PR. BORA, J.

Dated: April 09, 2019

PER COURT :

1. Heard the learned Counsel for the petitioner and the learned Counsel appearing for the respondent on caveat.

2. It is the grievance of the petitioner that, though the construction permission has been accorded by the Nanded – Waghala Municipal Corporation, Nanded prior to about three years, the respondent herein raised a dispute about that before the Hon'ble Minister and obtained the *ex-parte* stay against the present petitioner. The learned Counsel submitted that, because of such an order passed by the Hon'ble Minister, the petitioner is now being prevented even from approaching his own property. The learned Counsel submitted that, according to the building

permission in favour of the present petitioner, almost the entire construction has been completed and the petitioner's presence is required on the said premises only for the purpose of curing of the said construction, which also he is unable to do because of the order passed by the Hon'ble Minister.

3. After having heard the learned Counsel and on going through the material placed on record, it appears to me that, the present petition can be disposed of with the following order.

ORDER

(i) The Hon'ble Minister shall dispose of the appeal filed by the present respondent, as expeditiously as possible, preferably within the period of six weeks. Till then, the petitioner shall not carry out any further construction.

(ii) It may be permissible for the petitioner to visit his own premises, however except curing work, nothing more will be done by him.

(iii) Writ petition stands disposed of.

(**PR. BORA, J.**)