

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

**CRIMINAL PUBLIC INTEREST LITIGATION NO.6 OF 2018
WITH
CRIMINAL APPLICATION NO.2075 OF 2019
WITH
CRIMINAL APPLICATION NO.2091 OF 2019
WITH
CRIMINAL APPLICATION NO.2107 OF 2019**

Mr. Sanjay s/o Anappa Batale & anr. ..Petitioners

Versus

Union of India & ors. ..Respondents

Mr V.D. Sapkal, advocate for petitioners
Mr S.B. Deshpande, ASGI for respondent no. 1
Mr A. B. Girase, GP for respondent no. 2, 4 to 6, 8, 11
and 12.
Mr Sangitrao Wadmare, advocate for respondent no.3
Mr R.S. Deshmukh, advocate for respondent no.7
Mr N.P. Patil Jamalpurkar, advocate for respondent no.9
and for applicant in Criminal Application No.2075/2019;
Dr. R. R. Deshpande and Mr S.P. Urgunde, advocate for
respondent no. 10;
Mr P.V. Mandlik, Senior Advocate i/b Mr Amol Gandhi,
Advocate for applicant in Criminal Application
No.2107/2019;
Mr U.B. Bondar, Advocate for applicant in Criminal
Application No.2091/2019

**WITH
PUBLIC INTEREST LITIGATION NO.70 OF 2014**

Sushant s/o Subhash Bhumkar

..Petitioner

Versus

The Union of India & ors.

..Respondents

Mr V.R. Dhorde, advocate for the petitioner

Mr S.B. Deshpande, Assistant Solicitor General for
Respondent No.1

Mr A. B. Girase, GP for Respondents No.2, 4 and 5

Mr A.B. Katneshwarkar, advocate for Respondent No.3

Mr Amol Gandhi, advocate for Respondent No.6.

Mr S.P. Urgunde, advocate for Respondents No.7 & 8

**CORAM : PRASANNA B. VARALE &
R.G. AVACHAT, JJ.**

DATED : 27th JUNE, 2019

OPERATIVE ORDER:

For the reasons separately recorded, both the Public Interest Litigations are disposed of with directions to the Divisional Commissioner, Aurangabad who had filed Affidavit-in-reply in response to the directions of this Court, to take steps on the backdrop of various reports submitted to him and which are referred to in affidavit-in-reply, in general and at Para-8 in particular, to its logical end, as expeditiously as possible.

2. The Divisional Commissioner, Aurangabad is also at liberty to consider the aspect of completion of the scheme by taking recourse to any other housing scheme floated by the Central Government, Union of India or the State Government.

3. In view of the disposal of both the Public Interest Litigations, we see no reason to entertain the criminal applications and the same are rejected. We further make it clear that if any action is initiated through Municipal Council, Naldurg including a complaint being submitted to the police station or a lodgment of report, these applicants are at liberty to avail the appropriate legal remedies, if so advised. We further make it clear that, if the applicants approach to the competent forum including judicial forum either for protecting their liberty or in challenge to the lodgment of report, the competent forum/judicial forum shall not be influenced by

the observations of this Court in the order of disposal
of the Public Interest Litigations.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]

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