

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7073 OF 2019

PANDIT LAXMAN BHADAK
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Kulkarni Sanket S.
AGP for Respondents No. 1 and 2 : Mr. A. M. Phule

...

CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 17th JUNE, 2019

PER COURT:

1. Heard Mr. Kulkarni, learned counsel for the petitioner. The A.G.P. accepts notice for respondents no. 1 and 2 and points out order dated 30.11.2010 passed in Writ Petition No. 3873 of 2010.

2. This Court under order dated 30.11.2010 in Writ Petition No. 3873 of 2010 has observed thus -

*"At the same time, having regard to the fact
that the petitioners were not in a position*

to develop the land in question on the count of the reservation of the land for the purposes of school and playground, it would be in the fitness of things to dispose of this petition with a direction that in case it becomes necessary for the petitioners to file a civil suit for eviction of the persons occupying the land in question, the Civil Court shall decide the suit in accordance with law, as expeditiously as possible and preferably within one year from the date of institution of the suit."

3. In view of the aforesaid order, the petitioner is required to take steps either by filing civil suit for eviction. In view of the aforesaid order, no contrary orders can be passed in the present writ petition.

4. The writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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