

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

WRIT PETITION NO. 7798 OF 2019

Alankar Coop. Tenant Ownership
Housing Society Ltd., Aurangabad
Through its Secretary .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Prashant D. Suryawanshi, Advocate for the Petitioner.
Shri K. B. Jadhavar, A.G.P. for the Respondent No. 1.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 27TH JUNE, 2019.

FINAL ORDER :

. The petitioner seeks directions against the respondent No. 2 to take appropriate action against the encroachment made by the respondent No. 3.

2. Mr. Suryawanshi, the learned advocate submits that, the respondent No. 2 has executed lease deed in favour of a stranger of a open space.

3. It is for the petitioner to take the necessary steps with regard to instrument and to protect its open space, even

encroachment is made by a private person. The petitioner has remedy before the Civil Court and also such other forum as is permissible in law. The petitioner may take recourse to the said remedy.

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

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 19