

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

77 WRIT PETITION NO.7944 OF 2019

POPATLAL CHANDMAL BHALGAT

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Satyajit S. Bora, Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

...

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

DATED : 1st JULY, 2019.

PER COURT:-

1. Mr. Bora, learned counsel for the petitioner submits that the petitioner is issued with notice on 18.06.2019 under the provision of the Maharashtra Highways Act for removal of encroachment. The petitioner has preferred an Appeal under Section 24 of the said Act before the Collector, Ahmednagar on 20.06.2019, the same is still pending. According to the learned counsel filing of an Appeal itself operates as stay.

2. The learned A.G.P. accepts notice for all respondents.

3. The Collector shall take steps upon Appeal filed by the petitioner (Exhibit-E, Page 24)

expeditiously. The petitioner shall appear before the Collector, Ahmednagar on 09.07.2019. Till the Appeal is decided, the respondents may not proceed pursuant to the impugned notice dated 18.06.2019.

4. Writ Petition accordingly disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/July-19