

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

85 WRIT PETITION NO.10839 OF 2018

MESA MADHAV CHANDANSHIV

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Subhash S. Nade, Advocate for the Petitioner.
Mrs. A. V. Gondhalekar, AGP for Respondents-State.
Mr. Vinod M. Vibhute, Advocate for Respondent No.2.
Mr. Suresh N. Rodge, Advocate for Respondent No.5.

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**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATED : 02nd DECEMBER, 2019.

PER COURT:-

1. The affidavit-in-reply is filed by the Block Development Officer on behalf of respondent nos.2 and 4. In the affidavit-in-reply it is admitted that illegal construction has been made over the road by erecting the dais of flag. The Gramsevak has been suspended for not initiating proper action. The action is also been taken against the Sarpanch.

2. In case, Gramsevak and Sarpanch are not taking action, the Block Development Officer is competent authority to take action.

3. The learned counsel for respondent nos.2 and 4 submits that the Zilla Parishad is taking

action in respect of the said illegal construction of dais for flag and necessary action may be taken by the Zilla Parishad expeditiously.

4. In view of the said statement, writ petition is disposed of. No costs.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/December-19