

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

49 WRIT PETITION NO.11970 OF 2018

JITENDRA PANDURANG PATIL  
VERSUS  
THE CLLECTOR NANDURBAR AND OTHERS

...

Advocate for Petitioners :Mr. Pawar Rahul S.  
AGP for Respondent State: Mr. K. B. Jadhavar  
Advocate for Respondent No.2 : Mr. D. S. Bagul  
Advocate for Respondent No.3 : Mr. Deepak Choudhari  
h/for Mr. J. R. Shah

**CORAM : S. V. GANGAPURWALA &  
A. M. DHAVAL, JJ.**

**DATE : 14th February, 2019**

**PER COURT :**

1. We have heard learned Advocates for the parties.

2. Petitioner seeks removal of unauthorized construction made by Respondent No.3 by virtue of which the temple area, according to the petitioner, is closed. It is submitted that the Municipal Council, Nandurbar also issued notice dated 04.08.2018 to Respondent No.3.

3. Mr. Choudhari, learned Advocate for respondent No.3 submits that the respondent will

institute a civil suit against the Municipal Council. In case no prohibitory order is passed by the Civil Court or any other competent authority, then the respondent Municipal Council can proceed further pursuant to its notice dated 04.08.2018 in accordance with law.

4. In light of above, writ petition is disposed of. No costs.

**(A. M.DHAVALA, J.)**

**(S.V.GANGAPURWALA, J.)**

JPC