

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO.12852 OF 2019

SAKRI NAGARPANCHAYAT SAKRI
VERSUS
YAKUBKHA ALIYAARKHA PATHAN AND OTHERS

...
Advocate for Petitioner : Shri Bagul D.S.
Advocate for Respondent 1 : Shri Pawar R.S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 16, 2019

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PER COURT :-

1. The petitioner / Municipal Council is aggrieved by the order dated 15.7.2019, by which, the appellate Court has allowed application Exhibit 10 in MCA No. 132 of 2009.

" Facts in the present case are identical and similar procedure can be followed in present case also. So, I am inclined to direct both parties to maintain status quo till decision of the delay condonation application or till 15th October whichever is earlier. In the meantime, plaintiffs would be at liberty to apply defendant Municipal Council for building permission, in accordance with law."

2. I have heard the submissions of the learned Advocates for the parties and have gone through the eleven grounds formulated in the memo of the petition.

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2- WRIT PETITION NO.12852 OF 2019

4. I do not find that the impugned order could be termed as being perverse or erroneous considering the supervisory jurisdiction of this Court and in view of the law laid down by the Honourable Supreme Court in the matters of Syed Yakoob Vs. K.S. Radhakrishnan and others [AIR 1964 SC 447] and Surya Dev Rai Vs. Ram Chander Rai [(2003) 6 SCC 682].

5. This petition is, therefore, disposed of with a direction to the learned District Judge-4, Dhule to decide the pending proceedings as expeditiously as possible and preferably on/or before 31.7.2020.

(RAVINDRA V. GHUGE, J.)

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