

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12134 OF 2019

Ganpat s/o Gunaji Bare
& another

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. R.D. Bhalerao, Advocate for the petitioners.
Mr. V.M. Kagne, AGP for respondents No. 1 and 2.

WITH
WRIT PETITION NO. 12276 OF 2019

Dilip s/o Nathu Deshmukh

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. R.D. Bhalerao, Advocate for the petitioners.
Mr. V.M. Kagne, AGP for respondents No. 1 and 2.

**CORAM : S.V.GANGAPURWALA &
ANIL S. KILOR, JJ.
DATE : 07th October, 2019.**

PER COURT :

1. Learned counsel for the petitioners submits that the petitioners have received notice for removal of encroachment.
2. It appears that the said notices are pursuant to the order of this Court dated 23.01.2019 passed in Writ Petition No. 5682/2014.

3. The grievance of the petitioners is that they are not party to Writ Petition No. 5682/2014.

4. The order in Writ Petition no. 5682/2014 is passed by the co-ordinate bench and one of the learned Judge passing the order is available. Judicial propriety demands that the co-ordinate bench should not pass contrary orders. The petitioners have an option to take steps with regard to the said order.

5. In the light of above, the petitioners are at liberty to take appropriate steps with regard to the order dated 23.01.2017 passed in Writ Petition no. 5682/2014.

6. With these observations, both the petitions are disposed of. All contentions of petitioners are kept open.

(ANIL S. KILOR)
JUDGE

(S.V.GANGAPURWALA)
JUDGE

dyb/