

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

**928 CONT. PETITION NO.856 OF 2018
IN WP/2063/1998**

**SHER ALI SADAT ALI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr Deshpande Milind K.

AGP for Respondents State: Mr S G Sangle

Advocate for Respondent No.5 : Mr. G.K. Thigle

**CORAM : PRASANNA B. VARALE & ANIL
S. KILOR, JJ.**

DATE : 18th December, 2019

ORDER:

1. In response to the simple notice issued by this Court by order dated 03.12.2018, Learned counsel Mr. Thigle placed on record the compilation of documents. It is the further submission of Mr. Thigle that though there was some delay in initiation of the action but the same was for certain unforeseen difficulties and now the Municipal Council Beed had requested to the law enforcing agency to assist in the initiation of removal of debris and or removal of the encroachment. Compilation of communications is taken on record and marked 'X' for identification.

2. The very first document of the compilation is a communication addressed to one Shri Pathan Shakil Khan, the former president of the Municipal Council, Beed, informing him that a tender was floated for construction of road. 50% work was completed by the contractor. It is also informed that residents of the area are raising objection and also causing obstruction in the work by damaging machinery deployed at the spot. In view of this obstruction, the Municipal Council applied for the police protection. The further communication placed on record dated 12.12.2019 shows that the Chief Officer of the Municipal Council sought information as to payment of necessary charges for providing police protection on the spot. There is also reply communication from the Police

Inspector, City Police Station, Beed dated 13.12.2019. There is also communication dated 18.12.2019 i.e. communication forwarded today itself to the Police Inspector, City Police Station, Beed reiterating the request for providing necessary police staff so as to undertake the activity of removal of debris lying on the road.

3. Mr. M.K. Deshpande, the learned counsel appearing for the petitioner made a statement before this Court that the petitioners are also ready to cooperate the police machinery so as to maintain peaceful atmosphere in the city. Accepting this statement, we permit the petitioners to approach the Police Inspector, City Police Station Beed as well as the Superintendent of Police, Beed submitting representation expressing their willingness to assist the police machinery, by permitting police machinery to include either petitioners or representative of the petitioners to be members of those committees which are normally constituted by the respective police stations to have coordination between the residents and police authority for maintaining peace and harmony in the city. Needless to state, if such representation is submitted to the authority, the authority may consider the representation and to take appropriate steps.

4. In view of the above referred facts, nothing survives in the petition. Contempt petition is accordingly disposed of.

(ANIL S. KILOR, J.)

(PRASANNA B. VARALE, J.)

JPC