

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 1444 OF 2021

JAGANNATH SUKA NIMBHORE
VERSUS
THE JALGAON MUNICIPAL CORPORATION THOROUGH ITS
COMMISSIONER AND ANOTHER

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Advocate for Petitioner : Mr. Bhokariker Madhav M.
AGP for Respondent-State : Mr. R. D. Sanap

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CORAM : V. K. JADHAV, J.
DATED : 27TH JANUARY, 2021

PER COURT :-

1. I have heard learned counsel for the petitioner for some time and when this Court expressed its disinclination to entertain this petition, learned counsel for the petitioner, on instructions, seeks leave to withdraw this petition.

2. Leave granted. The Writ Petition is disposed off as withdrawn.

3. Learned counsel for the petitioner submits that during pendency of this petition, the Municipal Council, Jalgaon has issued notice to the petitioner about removal of
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encroachment. Learned counsel submits that if the petitioner prefers to amend the plaint for insertion of prayer pertaining to the said notice, in that event, liberty may be granted to the petitioner to file an application for appointment of Court Commissioner.

4. In the event the amendment as proposed by the petitioner here is allowed by the trial court on its own merits, the petitioner is at liberty to file an application for appointment of Court Commissioner and it is for the trial court to decide the said application seeking appointment of Court Commissioner on its own merits.

(V. K. JADHAV, J.)

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