

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.1237 of 2021

Pralhad Sampat Tayade and others

...Petitioners

Versus

Municipal Council Mehkar and others

...Respondents

Shri J.B.Gandhi, Advocate for the Petitioners

Shri A.M. Deshpande, Addl.GP for the Respondent Nos.2, 4 and 5 -
State

Ms. Sushma, Standing Counsel for Respondent No.3

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 8 MARCH 2021

P.C.:

Heard the learned Counsel for the parties.

2. The Petitioners have filed this Writ Petition seeking leave to represent 637 persons. According to the Petitioners, they are the legitimate allottees of the scheme known as Integrated Housing and Slum Development Programme and are apprehended to be removed from tenement as per the communication issued by the Chief Officer, Municipal Council, Mehkar, to the Superintendent of Police, Buldhana.

3. The communication seeks Police aid for removing the encroachment which was carried out by some of the persons. Therefore,

there would be some, who are legitimate allottees and there would be some, who have encroached. This scrutiny will have to be carried out and the outcome differ from individual to individual. Therefore, the petitioners would also some of the allottees, cannot bring a composite petition on behalf of the 637 persons.

4. The learned Counsel for the Petitioners states that the Petitioners are regular allottees. However details of these five petitioners are not to be found in the Petition as the petition proceeds on general assertions.

5. The learned Counsel for the Petitioners submits that the petitioners will file separate Petitions *qua* their rights and occupation. With this liberty, the Writ Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]