

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

WRIT PETITION NO.2373/2021

Jyoti w/o Ganeshrao Tayade and another

...Versus...

Divisional Commissioner, Amravati Division, Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Dhengale, Advocate for petitioners
Shri A.S. Fulzele, Addl. G.P. for respondent nos.1 and 2

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATE : 09/07/2021

1. Hearing is conducted through Video Conferencing and all the learned Advocates agreed that the audio and video quality was proper.
2. Heard Shri Dhengale, learned Counsel for the petitioners.
3. Learned Counsel for the petitioners submits that the order passed by the Divisional Commissioner, Amravati directing the Chief Executive Officer, Zilla Parishad, Amravati to make enquiry regarding encroachment and to remove the encroachment if the result of the enquiry would show that

there has been some encroachment, is not being implemented by the Chief Executive Officer.

4. We must make it clear hear that this Court is not an executing court for ensuring enforcement and execution of the orders passed by the administrative and quasi judicial authorities. We would have liked to dismiss the petition by imposing the costs. But, as this is the first time that such an instance has been noticed by us, we would refrain from doing so and would put an end to the matter by issuing caution to the parties.

5. The writ petition stands summarily dismissed. We record our displeasure for the abuse of the jurisdiction of this Court and accordingly, we caution the parties to refrain from doing so. No order as to costs.

JUDGE

JUDGE

Wadkar