

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

WRIT PETITION NO.262 OF 2016

Dinesh S/o Shripat Tiple

Vs.

Additional Commissioner, Nagpur and others

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

Court's or Judge's orders

Shri R. R. Vyas, Counsel for petitioner with Ms. Kirti Deshpande,
Advocate.

Ms. H. N. Jaipurkar, AGP for respondent nos.1 to 4.

CORAM : AVINASH G. GHAROTE, J.

DATED : 10/02/2021

1. Heard Shri R. R. Vyas, learned counsel for the petitioner.

2. The present petition challenges the order dated 14.07.2015 passed by the Additional Commissioner, Nagpur in Appeal No.1/LEN – 39 /2014-15, whereby the appeal as preferred by the present petitioner, challenging the regularization of the encroachment made by the respondent no.5, on a plot adjacent to the one owned by the petitioner, on the ground, that waste water from the adjacent plot comes into the plot of the petitioner and therefore, the regularization of the encroachment by the respondent no.5 ought not to have been permitted has been dismissed. It is pertinent to note that the Additional Commissioner in the order dated 14.07.2015, has passed a direction to the effect that while regularizing the

encroachment of the respondent no.5, it should be ensured that the waste water should not be accumulated in the plot of the petitioner. The said direction, in effectuality addresses the grievance of the petitioner.

3. Learned AGP Ms. Jaipurkar, for the respondent nos.1 to 4 assures the Court that the direction as contained in the order dated 14.07.2015, would be ensured to be complied with.

4. In view of the direction as contained in the impugned order and the assurance as given by the learned AGP, the grievance as raised in the present petition does not survive, as it stands adequately addressed.

5. The Writ Petition is accordingly disposed of.
No costs.

JUDGE