

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 WRIT PETITION NO.2431 OF 2022

THE VAIBHAV CO OPERATIVE BACKWARD HOUSING
SOCIETY LTD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. R.D. Biradar, Advocate for the petitioner

Mr. S.B. Yawalkar, Addl.GP for respondent/State.

...

CORAM : S.V. GANGAPURWALA
AND
S.G. DIGE, JJ.

DATE : 21st FEBRUARY, 2022

PER COURT :-

. Mr.Biradar, learned counsel for the petitioner submits that upto High Court the petitioner has succeeded in the civil proceedings. Injunction is clamped against the concerned parties. On 28.01.2022, the notice is issued to the petitioner calling for explanation from the petitioner on the ground that as to why the petitioner has violated the terms. According to the learned counsel, the said notice is unwarranted.

2. We have heard learned A.G.P. for respondent nos.1 to 6.

3. The petitioner is only issued with the notice calling for the explanation and documents. The petitioner has got opportunity to file say to

the said notice. The respondent may serve the copy of the report upon the petitioner so as to enable the petitioner to get details and the terms that the petitioner has violated according to the respondent.

4. The Collector shall give the copy of the report which is relied upon in the impugned notice preferably within 10 days to the petitioner. The petitioner upon receipt of the report shall file its reply preferably within 15 days and thereafter, the Collector may take decision on the same on its own merits and in accordance with law and procedure.

5. The Petition is disposed of.

6. All the contentions of the parties are kept open.

(S.G.DIGE, J.)

(S.V. GANGAPURWALA, J.)

SGA