

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

949 WRIT PETITION NO.7113 OF 2022

**PRABHAKAR YADAVRAO RAKH
VERSUS
THE STATE OF MAHARASHTRA, THROUGH DIRECTOR
OF MUNICIPAL ADMINISTRATION AND OTHERS**

....

Mr S. R. Kedar, Advocate for petitioner;
Mr S. G. Sangle, A.G.P. for respondent/State

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 12th July, 2022

PER COURT:

1. The prayer clauses (B) and (C), put forth by the petitioner, though appear to be innocuous, we find that the notice issued to respondent No.4, as regards the purported eviction, on 27/01/2014, is subject to a litigation. The petitioner is unaware as regards the status of the said litigation. By this petition, a direction is sought to the Municipal Council, to remove the encroachment.

2. It is obvious that, this petition is a chance litigation and does not deserve consideration in the light of the above stated facts.

(2)

3. In view of the above, this petition is dismissed.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk