

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

CIVIL APPLICATION (W) NO. 388/2020 IN WRIT PETITION NO. 1205/2017 (D)

(MUKUND SAMPATRAO BALVIR **VERSUS** RADHABAI ARUNRAO PAL & OTHERS)

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

Court's or Judge's order

Shri A.V. Lokhande, counsel for the applicant.
 Shri A.S. Moon, counsel for the non-applicant no.4.
 Ms Gayatri Reve, Advocate h/f Shri B.N. Jaipurkar, counsel for the R-5 & 6.

CORAM : A. S. CHANDURKAR AND VINAY JOSHI, JJ.

DATE : JUNE 17, 2022.

The applicant seeks recall of the order dated 28.01.2020 on the ground that though statement was made on behalf of the Sarpanch that the encroachment had been removed on 12.12.2019, such encroachment has still not been removed.

In the affidavit filed by the Sarpanch on 06.04.2022, it is stated that the cement-concrete road would be constructed within a period of one month to enable removal of such encroachment. That construction is also not complete. We therefore find that the writ petition deserves to be reconsidered on merits. Hence, the order dated 28.01.2020 is recalled and the writ petition is restored for consideration.

The civil application is disposed of.

(VINAY JOSHI, J.)

(A. S. CHANDURKAR, J.)

APTE