

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 4653 OF 2019

(Kalawati Tejram Shevale Vs. The Chairman, Nagpur Improvement Trust, Nagpur & Ors.)

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

Court's or Judge's order

Ms. Laxmi Y. Malewar, Advocate for the petitioner.
Shri G.A. Kunte, Advocate for respondent No.1.
Shri A.S. Fulzele, Additional Government Pleader for respondent Nos. 2 and 3/
State.
Shri M.N. Ali, Advocate for respondent No.4.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : SEPTEMBER 15, 2022.

The petitioner seeks a direction to be issued to the Nagpur Improvement Trust to remove the alleged encroachment and the alleged unauthorized construction undertaken by respondent No.4 on plot No. 52 which is claimed to be owned by the petitioner.

It is informed that the petitioner had filed Reg. Civil Suit bearing No. 4666/2012 seeking a similar relief of declaration and removal of encroachment alleged to be committed by respondent No.4 on plot No. 52. That Civil Suit has been dismissed on 15/6/2018. The said judgment has been challenged by the petitioner by filing an Appeal.

Subject to the final adjudication of the civil proceedings, the petitioner is free to take further consequential steps based on such adjudication.

With these observations, the Writ Petition is disposed of. No costs.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

SUMIT