

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

WRIT PETITION NO.4656 OF 2018

(Dr. Chandrakant s/o Ramchandra Raghtate and another vs. The State of Maharashtra and others)

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

Shri P.S. Wathore, Advocate for petitioners.
Shri K.L. Dharmadhikari, Assistant Government
Pleader for respondent no.1.
Shri Abhay Sambre, Advocate for respondent no.2.
Shri R.P. Masurkar, Advocate h/f Shri S.M. Puranik,
Advocate for respondent no.3.
Shri C.V. Jagdale, Advocate for interveners.

CORAM : SUNIL B. SHUKRE AND
G.A. SANAP, JJ.

DATED : SEPTEMBER 29, 2022

Heard learned Counsel for the parties.

2) We find that when it is an admitted fact that the tin shed where yogic activities are being performed is owned by the respondent no.2, strangers like the petitioners do not have any right in law to interfere in the right of respondent no.2 to enjoy its property the way it would like to enjoy within the four corners of law.

3) In the present case, respondent no.2 has found that the tin shed in question is the structure, which falls in Schedule "B" category and is,

therefore, liable to be pulled down as per directions issued in the order dated 6/6/2018 passed in Writ Petition No.6177/2006. If this is how the respondent no.2 has perceived its own property to be and how it be disposed of, strangers like the petitioners do not have any authority in law to question the decision of the respondent no.2.

4) Having considered this petition in this way, we do not think that there is any reason for this Court to keep this petition in its docket. The petition is liable to be summarily dismissed. The petition, therefore, stands dismissed. Liberty is granted to the petitioners to make a request to the respondent no.2 for providing them alternate suitable space within the open spaces of respondent no.2 and if such a request is made by the petitioners, the respondent no.2 shall consider it as far as possible in a positive way.

5) In view of above, the pending civil applications stand disposed of.

JUDGE

JUDGE

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