

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

Civil Application No.2283 of 2022

In

Writ Petition No.5856 of 2007

Anandilal Hajarimal Bhutada and another

Versus

Shegaon Municipal Council and others

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

Shri F.T. Mirza, Advocate as Amicus Curiae.

Shri D.M. Kale, Advocate for Respondent No.1.

Shri D.P. Thakre, Additional Government Pleader for
 Respondent Nos.2 to 5.

Shri A.R. Patil, Advocate for Respondent No.6.

Shri P.P. Kothari, Advocate for Respondent No.8.

Shri S.P. Bhandarkar, Advocate for Respondent No.10

CORAM : SUNIL B. SHUKRE & ANIL L. PANSARE, JJ.

DATE : 20th OCTOBER, 2022

Pursis Stamp No.03 of 2022 :

1. In view of what is stated in this pursis and also in view of the fact that Shri Bhagwan Lonare, learned counsel, is now appearing for the intervenor, Shri Vinay Sharma, learned counsel, who was appearing for the intervenor, is now discharged as an Advocate for the intervenor.

Civil Application (CAW) No.2283 of 2022 :

1. Heard.

2. By filing an additional affidavit, the intervenor has admitted that he has no direct interest in the matter. He has also admitted that he has filed Special Leave Petition before the Apex Court, which was dismissed by the Apex Court, and the direction is also given by the Apex Court to vacate the premises in question on his own within three months from the date of order. He has also admitted the fact that the

land, which was in his possession and which was acquired by the Land Acquisition Officer, Khamgaon, was admeasuring only 36.866 square meters, for which he had received the compensation of Rs.13,25,445/-. It is not in dispute that the award of compensation to the petitioners has not been challenged by him anywhere. It is also not in dispute that if the intervenor desires to question the same, he has alternate remedy available. Therefore, just because the intervenor now wishes to take up the cause of other persons, who have not been granted the compensation, he can not be allowed to intervene in the matter.

3. The civil application for intervention is, therefore, rejected.

Writ Petition No.5856 of 2007 (PIL) :

Stand over to 23-11-2022.

Writ Petitions No.2127 of 2020, 1349 of 2021 and 1292 of 2021 :

1. These petitions shall now be heard finally on the next date.
2. Stand over to 24-11-2022.
3. Meanwhile, we direct the Authorities not to take any coercive steps in these petitions till next date.

(ANIL L. PANSARE, J.)

(SUNIL B. SHUKRE, J.)

Lanjewar