

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

WRIT PETITION NO. 8324 OF 2019

Shri Sunil s/o Pandurang Sonune

vs.

Joint Director, Town Planning, Amravati Division and others

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

Court's or Judge's Orders.

Mr. P. S. Sadavarte, Advocate for petitioner.
Mr. R. L. Khapre, Senior Advocate assisted by Mr. D. R.
Khapre, Advocate for respondent No. 6.

CORAM : AVINASH G. GHAROTE J.

DATE : 16/11/2022

Heard Mr. Sadavarte, learned counsel for the petitioner, Mr. Damle, learned AGP for respondent Nos.1 to 5 and Mr. R. L. Khapre, learned Senior Advocate for respondent No.6.

2. The grievance of Mr. Sadavarte is that the road which is granted by the Tahsildar, Buldhana to the petitioner by virtue of order dated 11/06/2018 (page 103) is being affected by erection of a petrol pump by respondent No.6 on the land of Gat No.86.

3. Mr. Khapre learned Senior Advocate, points out that the order dated 11/06/2018 (page 103) is under challenge in R.C.S. No. 119 of 2018 in

which an order of status-quo has been granted by the Civil Court on 03/11/2018, which position is not disputed by Mr.Sadavarte, learned counsel for the petitioner.

4. In order to address the grievance of the petitioner, a map has been placed on record (at page 102) indicating the road, which is made available to the petitioner from the North East side of the Gat No.86 for approach to the lands of Gat No.85 and 83 held by the petitioner as against which the proposed petrol pump to be erected on the land of Gat No. 86 is at the North West corner. The erection of the petrol pump, therefore, would not in any manner affect any way, granted to the petitioner by order 11/06/2018 (page 103) in case the status-quo passed by the Civil Court is vacated. I therefore, do not find any reason to interfere in the impugned order. Petition is therefore, dismissed.

5. It is however, made clear that the dismissal is based upon the location of the petrol pump as shown in the map (at Page No.102) and the petrol pump shall be constructed there only.

JUDGE

*Digitally signed by*RAVIKANT
CHANDRAKANT KOLHE
*Signing Date:*16.11.2022
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