

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

926 WRIT PETITION NO.4690 OF 2023

**MOHAMMAD NURDDIN MOHAMMAD FASIYODDIN
AND OTHERS**

VERSUS

**THE STATE OF MAHARASHTRA
THROUGH SECRETARY AND OTHERS**

...

Advocate for Petitioners : Mr. Sachin S. Deshmukh h/f.
Mr. M.R. Sonawane

AGP for Respondent – State : Mr. S.B. Pulkundwar

...

**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 21-04-2023

PER COURT :

. Heard Mr. Deshmukh, learned counsel for petitioners.

2. Notice dated 10th April, 2023 under Section 478 (2) of Maharashtra Municipal Corporations Act, 1949 has been issued by the Designated Officer, Encroachment Department, Municipal Corporation to petitioners regarding encroachment on land bearing City Survey No.15854/A.

3. According to Mr. Deshmukh, structure of petitioners is not on land - City Survey No.15854/A and it shall be open for respondent authority to take lawful action in relation to structure which is located on aforesaid city survey number as petitioners have

no concerned with the said land.

4. In view of the aforesaid statement, the petition having become infructuous, the same stands disposed of accordingly.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP