

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

WRIT PETITION NO.6141 OF 2023

**SANTOSH DATTATRAY WARALE AND OTHERS
VERSUS
THE CHIEF OFFICER RAHURI MUNICIPAL COUNCIL OFFICER**

....
Mr. Sanjay N. Gaikwad, Advocate for Petitioners
Mr. R. V. Naiknaware, Advocate for respondent
....

**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 12.06.2023.

PER COURT :-

1. The Petitioners have put forth prayer clauses A and B,
as under:-

(A) Issue a writ of mandamus or any other appropriate writ, order or direction in the nature of writ of mandamus directing to respondent authority to implement, execute an order vide outward no. KAVI 02/02/531/2021 dtd. 01/09/2021 passed by respondent to close poultry farm situated in survey nos. 139/3/1 and 139/3/2 Warale wasti, Rahuri (Bk) Tq. Rahuri Dist. Ahmednagar and for that purpose issue necessary orders.

(B) Issue any other appropriate writ, order or direction in the nature of writ, thereby directing to Ld. Civil Judge Junior Division, Rahuri, Tq. Rahuri, Dist. Ahmednagar to decide suit bearing registered R.C.S. no.677/2021 pending file before it, to be decided as expeditiously as possible within period of six months and for that purpose issue necessary orders.

2. The learned Advocate representing the sole Respondent submits on instructions that the order mentioned in prayer clause "A" would be implemented by following the due procedure laid down in law.

3. We are not inclined to consider prayer clause "B".

4. In view of the above, this **petition is disposed off** in the light of the statement made by the sole Respondent. The order mentioned in prayer clause "A" dated 01.09.2021 would be complied with by following the due procedure laid down in law and without causing any delay.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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