

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

908 WRIT PETITION NO.6881 OF 2023

YOGESH PANDURANG KANGARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

Mr.S.D.Kotkar, Advocate for the Petitioners.
Mr.S.G.Karlekar, AGP for the Respondent/State.

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

DATE : JULY 11, 2023

PER COURT :

1. Apparently the cause of action and the disputed issues indicate that this Court cannot exercise its writ jurisdiction. So also, the Petitioner has suppressed the fact of the show cause notice to remove the encroachment, pursuant to which the demolition activity has taken place and which is the subject matter of this writ petition. It is nowhere stated that the notice for demolition is challenged by him before the Trial Court.

2. In view of the above, **this Petition is dismissed** keeping in

view the law laid down by the Hon'ble Supreme Court in **Kishore Samrite Vs. State of UP and others, (2013) 2 SCC 398** and **Bhaskar Laxman Jadhav and others Vs. Karamveer Kakasaheb Wagh Education Society and others [AIR 2013 SC 523]**.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)