

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

WRIT PETITION NO.13575 OF 2023

**SNEHAL ANAND SAPKALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

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Mr. S. A. Sapkale, Advocate for Petitioner
Mr. V. M. Kagne, AGP for Respondent – State

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

DATE : 31.10.2023.

PER COURT :-

1. The Petitioner who is an Advocate, has made a representation to the Municipal Corporation dated 20.06.2023, praying for demolition of construction and removal of encroachment, allegedly made by a society. What is now prayed for in the Petition is that a direction may be given to the Municipal Corporation to remove the encroachment.

2. In matters of allegations of encroachment between private individuals, we would be extremely loath in entering into disputed questions.

3. Let the Petitioner pursue the Municipal Corporation. If the grievance is not redressed, the Petitioner has the remedy of approaching the Civil Court by initiating an appropriate proceeding, so as to lead evidence and prove as to what is the encroachment, the extent to which the encroachment has occurred and for remedial/consequential reliefs.

4. In view of the above, **this Petition is disposed off** expecting the Municipal Corporation to consider the representation tendered by the Petitioner.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS