

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
910 WRIT PETITION NO.9674 OF 2023**

ROHITSINGH RANJITSINGH THAKUR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS

...

Mr. G. S. Shete, Advocate for Petitioners
Mr. S. G. Karlekar, AGP for Respondents State
Mr. S. S. Patunkar, Advocate for Respondent No.3

CORAM : RAVINDRA V. GHUGE &
 Y. G. KHOBRAGADE, JJ.
DATE : 11th August, 2023

ORDER:

1. After a compromise decree between the parties in RCS No. 309 of 1991, the legal advisor of the Municipal Council has opined that it can proceed to act in terms of the compromise decree. The only rider is, that all the parties to the compromise decree may be taken into confidence.

2. In view of the short issue raised in this petition, we requested Shri Patunkar, the learned Advocate who is on the panel of the Municipal Council, to render his assistance. He has appeared on request of the Court.

3. In view of the above, **this petition is disposed off.**

4. The Chief Officer of the Municipal Council shall initiate steps in the light of the legal advice dated 23.11.2022 received by his office

on 23.11.2022, by taking all the stakeholders into confidence and by following the due procedure laid down in law. Let this exercise be completed within 90 days.

5. However, in the event, any of the parties to the compromise decree raises any objection, the parties would be relegated to the Civil Court for availing of the remedy as may be permissible in law.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan