

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

**966 WRIT PETITION NO.11119 OF 2023
WITH CA/11551/2023**

**SURESHRAO BHIMRAO JAGDALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. A. B. Girase a/w Mr. D. S. Bagul, Advocate for Petitioner
Mr. S. G. Karlekar, Advocate for Respondent – State
Mr. Sachin S. Deshmukh, Advocate for CIDCO
Mr. M. S. Deshmukh, Advocate h/f Mr. U. L. Momale, Advocate for
intervener

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

DATE : 12.10.2023

PER COURT :-

1. The learned Advocate representing the CIDCO authorities submits that the order dated 25.08.2023 was without issuing any notice to the Petitioner. The order dated 25.08.2023, tendered across the bar on behalf of CIDCO, is marked as “X-1” for identification.

2. Shri M. S. Deshmukh, the learned Advocate representing the intervention applicant in Civil Application No.11551 of 2023, submits that the applicant needs to be added

as a Respondent since the layout pertains to the property of the applicant.

3. The learned Advocate for the Petitioner submits that the applicant would be added forthwith.

4. In view of the said statement, the **Civil Application stands disposed off.**

5. The Petitioner as well as the individual Respondents agree to appear before the CIDCO authorities. For the said purpose, the order dated 25.08.2023 needs to be recalled. The learned Advocate for the CIDCO submits that the said order stands recalled being an exparte order.

6. In view of the above, this **Petition is disposed off.**

7. The litigating parties shall appear before the CIDCO at 12.00 noon on 18.08.2023. Needless to state that, the due procedure laid down in law would be followed and reasonable opportunity of hearing to the litigating parties would be granted by the authorities.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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