

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1964/2021

Mahesh s/o. Vinayakrao Chendke and Ors. Vs. State of Maharashtra and Ors.

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders

Court's or Judge's order

.....
Mr. Anand Parchure, Advocate for Petitioners.

Mr. A. A. Madiwale, A.G.P for Respondent No.1/State.

Ms. R. P. Jog, Advocate for Respondent No.2.

Mr. A. S. Agrawal, Advocate for Respondent No.3.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..

DATED : 13.01.2023

. The petitioners who are residents of Mamta Co-operative Housing Society Limited at mouza Sonegaon have filed this writ petition praying that the Planning Authority – respondent No.2 – Nagpur Improvement Trust be directed to take appropriate steps to remove the encroachments on recreational open spaces which are three in number as indicated by the sanctioned layout plan. After notice was issued in the writ petition and time was granted to file reply, the learned Counsel for the respondent No.2 on instructions of Avinash Prakash Badge, Divisional Officer (West), Nagpur Improvement Trust submits that by 30.06.2023 the encroachments in the recreational open spaces referred to hereinabove would be removed in accordance with law. She submits that the respondent No.2 would be required to obtain police aid during the course of removal of the encroachment.

2. The statement made on behalf of respondent No.2 is accepted. It would be open for the respondent No.2

to seek such permission from the concerned Authorities in accordance with law.

3. By accepting the statement made on behalf of respondent No.2 and directing it to comply with the same, the writ petition is disposed of. No costs.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

RGurnule