

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

Civil Application (CAS) No. 587/2023
IN
Second Appeal No. 396/2009

Shri Anil Ramnath Sonkusale
..VS..
The Collector, Nagpur and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Smt. S.W. Deshpande, Advocate for the appellant
Mr. K.L. Dharmadhikari, AGP for respondent no. 1
Mr. S.M. Puranik, Advocate for respondent nos. 4, 5 and 8
Mr. R.D. Hajare, Advocate for respondent no. 6a

CORAM : A. S. KILOR, J.

DATED : 04/05/2023

This is application for restraining the respondent no. 6a from making construction on the suit plot.

2. Mr. Hajare, learned Counsel for the respondent no. 6a, who is appointed through High Court Legal Aid Sub-Committee, Nagpur, makes a statement that after this Court on last occasion asked him to make a statement by taking instructions to the effect that whether the respondent no. 6a is ready to file an undertaking in the present matter that if she fails in this appeal, she will demolish the construction, if any, made on the suit plot, he could not take the instructions as the respondent no. 6a did not respond.

3. In that view of the matter, the construction, if any, made by the respondent no. 6a, would be subject to the result of the present appeal.

4. It is made clear that the respondent no. 6a cannot claim equity, if she fails in the present appeal.

5. Mr. Hajare, learned Counsel for the respondent nos. 6a and High Court Legal Aid Sub-Committee, Nagpur are directed to communicate this order to the respondent no. 6a.

6. Accordingly, the civil application is disposed of.

JUDGE

**SANDIP
MAHADEV
GATE**

Personal Assistant to the
Hon'ble Judge
Digitally signed by
SANDIP MAHADEV GATE
Date: 2023.05.04
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