



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 CIVIL APPLICATION NO. 1156 OF 2024
IN WP/14682/2023

DNYANESHWAR SHRIDHAR KEDARE
VERSUS
BALAJI HANUMANTRAO BHAGAT AND ORS

...

Mr. Bolkar Yogesh B., Advocate for Applicant
Mr. S. K. Tambe, AGP for the Respondents State
Mr. S.S. Tope, Advocate for Respondents 3 to 5 in WP

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 2nd February, 2024

ORDER:

1. We have perused the order passed by the learned vacation Court dated 25th November, 2023 more specially Paragraphs 5, 6 and 7.
2. The learned Advocate for the Municipal Corporation submits that the impugned notice dated 24.11.2023 is being withdrawn since an earlier notice for removal of encroachment has already been served on the Petitioner and that is the subject matter of a Civil Suit.
3. In view of the above, we record that the impugned notice is withdrawn by the Corporation. Consequentially, **the Writ Petition** would not survive and **stands disposed off**. Ad interim protection granted by this Court need not be continued since the Appeal Court has already granted protection to the Plaintiff and the same is to continue till the Application Exh. 5 is decided by the Civil Court.

4. **Civil application** seeking intervention **is also disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan