



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

WRIT PETITION NO. 6621 OF 2024

**MUSHTAQUE AHEMAD ABDUL AZIZ DESHMUKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....

Mr. G. R. Syed, Advocate for Petitioners
Mr. K. K. Naik, AGP for Respondent – State
Mr. D. R. Kale, Advocate for Respondent No.4

....

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

DATE : 25.07.2024

PER COURT :-

1. An affidavit dated 25.07.2024, is filed on behalf of the Chief Officer of the Municipal Council, Sillod.

2. We have heard the learned Advocates for the respective sides. With their assistance, we have perused the Writ Petition paper-book.

3. The learned Advocate Shri Kale, representing the Municipal Council, submits that the public toilets are not being newly constructed. The toilets which were in existence, abutting the Nala in a Government land, were in a dilapidated condition.

They are being repaired, considering the need of the people. It is over an area around 1200 sq.ft. The Municipal Council does not require any land, either of the Petitioners or such land as has been reserved for a play ground at site Nos. 58, 59 and 60. In short, he submits that the land which is reserved, is not utilised by the Council for constructing public toilets.

4. He further submits that if the Petitioners have any grievance, they may move an application for measurement of the plot (site No.60). After necessary measurement charges are deposited, the measurement would be carried out by following the due procedure laid down in law and thereafter, if the Petitioners have any grievance, they may avail of a remedy of approaching the Civil Court for raising its grievance.

5. In view of the above statements and with liberty to the Petitioners, **the Writ Petition is disposed off.**

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS