



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CONT. PETITION NO. 777 OF 2023

ANAND KASHIRAM SAPKALE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for the Petitioner : Mr. Rahul Cheble h/f Mr.Sapkale Sumeet Anand

AGP for Respondent no. 1 : Mr. V.K. Kotecha

Advocate for Respondent no.2 : Mr. A.S. Barlota h/f Mr. Navandar Mehul
Vikas

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 30.01.2024

PER COURT :

Heard.

2. By the order of which implementation is sought, this Court had directed the Municipal Corporation to take appropriate steps in accordance with the law if some grievance was made for removal of encroachment allegedly made on the Government land.

3. The learned advocate for the petitioner tenders across the bar several copies of notices issued to different individuals, purportedly issued by the Municipal Corporation under the provisions of the Maharashtra Municipal Corporation Act and the Maharashtra Regional and Town Planning Act, 1966. He submits that pursuant to these notices many of individuals have filed replies, however, the matter is not being finally considered by the Municipal Corporation.

4. Going by the order passed by this Court only it was expected of the Municipal Corporation to take appropriate steps for removal of

encroachment. The aforementioned circumstances indicate that the things have already moved. There was no outer limit imposed by the Court for removing the encroachment. Since the process is already under way as is directed by this Court, nothing survives.

5. The Contempt Petition is disposed of.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-