



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

CIVIL APPLICATION (CAW) NO. 2067 OF 2024

IN

WRIT PETITION NO. 652 OF 2023

(Shri Vitthal s/o Ramchandra Ambatkar

Vs.

**Maharashtra Industrial Development Corporation, Thr. Its Executive
Engineer & Ors.)**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. C.B. Dharmadhikari, Advocate for the Petitioner.
Mr. P.L. Sagdeo, Advocate for the Respondent No.3.
Mr. S.K. Mishra, Senior Advocate a/b Mr. A.M. Sharma, Advocate for the
Applicant/Intervenor.

**CORAM: AVINASH G. GHAROTE AND
M.W. CHANDWANI, JJ.**

DATED : 14th AUGUST, 2024

Civil Application (CAW) No.2067/2024 seeks modification of the order dated 25.01.2023 passed by this Court, whereby in view of the decree dated 25.01.2008 passed in R.C.S No.1693/1998, this Court has directed maintenance of *status quo* in respect of Plot No.P-74/1 which according to the Petitioner was the original Plot No.77.

2. Mr. Mishra, learned Senior Counsel for the Applicant in the Civil Application contends, that the Applicant has no concern with the land of Plot No.77 (New No. P-74/1) to the extent it measures 2160 sq.ft., which is the part of Gat No.114 as indicated in the map filed at page 58 of the Civil Application.

3. Mr. Dharmadhikari, learned Counsel for the Petitioner, does not dispute the above position and so also the location of the aforesaid property as indicated in the map at page 58 and in view of the aforesaid statement, has no objection for modification of the order dated 25.01.2023.

4. Accepting which statement, the order dated 25.01.2023 is hereby modified by accepting the statement of Mr. Mishra, learned Senior Counsel for the Applicant, as based upon the statement made in the application, that the possession of the Petitioner over the land of Plot No.77 (New No. P-74/1) admeasuring 2160 sq.ft., which is a part of Gat No.144 as indicated in the map at page 58 shall not be disturbed.

5. The application is **disposed** of in the above terms.

WRIT PETITION NO. 652 OF 2023

List the matter **after two weeks**, by which time, the learned Counsel for the Respondent No.3/M.I.D.C. undertakes to file the reply.

(M.W. CHANDWANI, J.)

(AVINASH G. GHAROTE, J.)