



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1476 OF 2025

SANJAY SHANTARAM SHELAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

AND
WRIT PETITION NO.1477 OF 2025

SOMNATH SATYAVAN PATANGE AND
AHEMAD SIKANDAR SHAH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Shri Sanket S. Kulkarni and Shri Rahul A. Tambe, Advocates for
the petitioners in the respective petitions.

Shri V.M. Kagne, AGP for Respondent Nos.1 to 3/State.

...

CORAM : MANGESH S. PATIL
&
PRAFULLA S. KHUBALKAR, JJ.

DATE : 30th January, 2025

Per Court :-

We have heard the learned advocates for the
respective petitioners in both these matters.

2. After hearing arguments, when we expressed our
disinclination to entertain the petitions and in the peculiar facts
refused to exercise extraordinary jurisdiction under Article 226

of the Constitution of India, the learned advocates make a request, on instructions, that the petitioners may be extended reasonable time to remove structures and take away articles.

3. It is only in the light of the request being made, we grant leave to withdraw the petitions with further stipulation that no precipitative action shall be initiated for a period of two weeks on the basis of the impugned notices, subject to the petitioners furnishing an undertaking on affidavit before the Registrar (Judicial) of this Court by tomorrow that they will remove obstructions/ constructions in question within two weeks. The petitioners shall submit such affidavit undertaking by tomorrow (31.01.2025) and handover its copy to the concerned Municipal Council.

4. In the light of the above, the Writ Petitions are disposed of as withdrawn.

5. Parties to act on an authenticated copy of this order.