

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2906 OF 2024

Prabhakar Baburao Kedari

...Petitioner

Versus

The State of Maharashtra thr.
Collector Pune & Ors

...Respondents

None for the Petitioner.

Mr Aditya R Deolekar, AGP, for the Respondent-State.

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**CORAM M.S. Sonak &
 Jitendra Jain, JJ.
DATED: 02 May 2025**

PC:-

1. None for the Petitioner.
2. The Petitioner seeks a writ on the Respondents to take action against some encroacher who is alleged to have encroached upon the property allotted to the Petitioner by way of rehabilitation. The alleged encroacher is not impleaded as a party.
3. Rather than dismiss this Petition for non-prosecution we adjourn the same to 26 June 2025. Before that date however, the Petitioner must, implead the alleged encroacher/s as Respondent. There is no question of making any order without hearing the alleged encroacher or ascertaining the

kind of right that the alleged encroacher claims in respect of the subject property.

4. The amendment may be carried out by 13 June 2025.
5. Issue notice to the newly impleaded Respondent, if such Respondent is indeed impleaded. Mr Deolekar learned AGP appears and waives service on behalf of the Respondent. The concern Respondent to file and serve a reply by 20 June 2025.
6. List the matter on 26 June 2025.

(Jitendra Jain, J)

(M.S. Sonak, J)