



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

WRIT PETITION NO. 793 OF 2020

(Ravindra s/o Mahadeo Shirsat vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of direction,
and the Registrar's orders.*

Court's or Judge's order

Mr. Aniket Sawal, Advocate h/f Mr.H.R.Gadhia, Advocate for
Petitioner.

Mr. A.S.Fulzele, Additional Government Pleader for respondent
No.1 to 3 and 5.

Mr. D.M. Kale, Advocate for Respondent No.4.

CORAM : ABHAY J. MANTRI, JJ.

DATE : JANUARY 02, 2025

Learned Counsel for the petitioner submitted that the facts in this case are covered by the order dated 06/06/2023, which had been passed by this Court in Writ Petition No.806/2020 in the case of Rahul s/o Mahadeo Shirsat vs. Divisional Commissioner, Amravati and others. He has also drawn my attention to the list of the encroachers on page No.30 (Annexure – G) and submitted that Rahul is the brother of the present petitioner, and on a similar set of facts, this court has passed the above-referred order. Therefore, he submitted that a similar order may be passed.

2) Mr. Fulzele, learned Additional government pleader appearing for respondent Nos.1 to 3 and 5, and Mr. Kale, learned Counsel appearing for respondent No.4, has not disputed the said fact and has no objection to passing a similar order. Moreover, upon instructions, Mr. Kale, learned Counsel for respondent No.4 submits that if the petitioner files the application before the authority, the relevant documents would be supplied to him.

3) The petition challenges the Order dated 08.01.2020 passed by the learned Trial Court, rejecting the application for summoning the Chief Executive Officer of the Nagar Palika, Shegaon, as a witness. The reason for the summoning is that no qualification is mentioned in the documents. In that view of the statement, the question of summoning the CEO as a witness for the plaintiff would not arise.

4) In view of the same, I do not see any reason to interfere in the impugned order. As such, the petition is dismissed. No order as to costs. Pending civil applications, if any, are disposed of.

5) Inform the learned trial Court accordingly.

(ABHAY J. MANTRI, J.)

KOLHE