



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

WRIT PETITION NO. 2828 OF 2020

(The Municipal Corporation, Nagpur vs. Shri. Dilip s/o Ruplal Gaur and another)

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

Court's or Judge's order

Mr. Rohan Chhabra, Advocate for the petitioner.
Mr. P.D.Meghe, Advocate for respondents.

CORAM : ABHAY J. MANTRI, JJ.

DATE : JANUARY 09, 2025

Mr.Chhabra, the Counsel for the petitioner, pointed out that the order dated 24/11/2020 had been passed in this petition and submitted that the same order would be continued till the disposal of the suit. In response, Mr. Meghe, learned Counsel for the respondents, has not opposed the same but impliedly assented to it. In view of the same, both learned Counsel submitted that the petition be disposed of by confirming the said order till the suit is disposed of.

2) Thus, without going into the merits of the matter and in the interest of justice, in my opinion, it would be proper to dispose of the petition as prayed by both learned Counsel. That would not cause prejudice to the rights of the parties; on the contrary, it would serve the purpose of both parties. Hence, I proceed to pass the following order:-

ORDER

a) The impugned order dated 16/03/2020 passed by learned District Judge-12, Nagpur, in M.C.A.No.76/2019,

to the extent of removal of the notice board installed on the disputed property, is hereby quashed and set aside and the order of injunction to the extent of possession granted in favour of the plaintiffs by both the court below is modified as under.

- b) Both parties are directed to maintain the status quo in respect of the board and possession of the party over the disputed/suit property till the decision of the suit.
- c) It is made clear that neither the petitioner nor the respondents, under the garb of the status quo order, shall carry out any work on the disputed property till the disposal of the suit.
- d) Both parties are restrained from creating third-party interest over the disputed/suit property till the disposal of the suit.
- e) Petition is disposed of in the above terms.
- f) Inform the concerned Courts accordingly.

(ABHAY J. MANTRI, J.)