

Sequeira

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

*SECOND APPEAL NO. 301 OF 2014
Along with
CIVIL APPLICATION NO. 1817 OF 2013
(For stay)*

The State of Maharashtra
(Through the District Collector,
Raigad) and anr.

.. Appellants

Vs

Shri Liladhar Ramchandra Patil
& anr.

.. Respondents

Mr.Yogesh Dabke – Assistant Government Pleader, for Appellants /
Applicants.

Mr.Niranjan Shimpi, for Respondent No.1.

*Coram : N.M.Jamdar, J.
Date : 18 April 2017.*

P.C. :

The Suit filed by the Respondents was for injunction to restrain the Appellant-State from demolishing the suit structure. The learned District Judge, Raigad-Alibag has found that, considering long standing possession of the Respondents-Plaintiff, the construction cannot be removed without resorting to due process of law. The order is passed on 19 December 2012. Second Appeal is pending.

2. The learned AGP for Appellants states instructions will be taken whether the Appellant-State will follow due process of law and initiate action. Stand over to 26 April, 2017, under the caption 'for directions'.

(N.M.Jamdar, J.)