

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

WRIT PETITION NO.5856 OF 2007

Anandilal Hajarilal Bhulada and anr.(deleted)

-Vs-

The Shegaon Municipal Council thorough its Chief Officer.

WITH

WRIT PETITION 3761 OF 2008

Mangesh Deenkarrao Indapawar and anr

.Vs

. State of Maharashtra through its Principal Secretary and ors.

WITH

WRIT PETITION NO. 2563 OF 2015

Prakash Ramniranjan Goenka and ors

vs.

State of Maharashtra, through its Secretary, Urban Development Deptat.Mantralaya and ors.

WITH

WRIT PETITION NO.2551 OF 2018

Rajendra Raghunath Tayade and ors.

Vs.

The State of Maharashtra through, its Secretary Urban Development Dept. Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.F.T.Mirza,amicus curiae for the petitioners in WP No.5856 of 07.
Mr. D.P.Thakre A.P.P for respondent nos 2 to 5
Mr.N.Lambat, counsel for respondent no.9 in WP No.5856 of 07.
Mr. R.L.Khapre Sr. Advocate a/b Mr. U.M.Kale counsel for respondent no.1
in WP No.5856 of 07.
Mr.A.R.Patil, counsel for respondent no.6 in WP No.5856 of 07.
Mr. P. N.Kothari, counsel for respondent no.8 in WP No.5856 of 07.

**CORAM : SUNIL B.SHUKRE &
AVINASH G. GHAROTE, JJ.**

DATE : 24.02.2021.

1. The respondent no.1 has filed an affidavit
However, it is yet to be placed before this Court. Shri.

Khapre, learned Senior Advocate for respondent no.1 submits that the order passed by this Court dated 14.01.2021 needs modification as by this interim order, a direction for handing over the portions of Unad nala over which the skywalk passes, which, according to the Municipal Council is not permissible in law. He submits that by such a direction, statutory right of the Municipal Council has been violated. He also submits that this order may be misused by Shree Gajanan Maharaj Sansthan to prevent use of the approach road by the residents of the localities below the skywalk. Learned amicus curiae and learned Addl.G.P seek time to file their replies in the matters. In any case, the affidavit filed today is not before this Court and therefore, some time would have to be granted.

2. Reply in these petitions be filed by the respondents on or before the next date.

3. Respondent no.1 may also file additional affidavit in reply, so as to give its response on the reply of the amicus curiae.

4. Stand over after three weeks.

5. Writ Petition No.5697 of 2014, Writ Petition No.8299 of 2018 and Writ Petition no.2649 of 2015, as submitted by the learned counsel for the petitioners are based upon different cause of action and are required to be detagged from these petitions.

6. Learned Addl. G.P has no objection.
7. These petitions be detagged from these writ petitions and to be heard separately.

JUDGE

JUDGE