

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

WRIT PETITION NO.5856 OF 2007

{Anandilal Hajarimal Bhutada and Anr. ..Vrs.. Shegaon Municipal
Council and Ors.}

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri F. T. Mirza, Amicus Curiae for the Petitioner.
Shri D. M. Kale, Advocate for the Respondent No.1.
Shri D. P. Thakare, Addl. G. P. for the Respondent Nos.2 to 5.
Shri A. R. Patil, Advocate for the Respondent No.6.
Shri D. M. Kakani, Advocate for the Respondent No.11.

**CORAM : SUNIL B. SHUKRE AND
VALMIKI SA MENEZES, J.J.**

DATE : 7th SEPTEMBER, 2022.

1. Heard Shri F. T. Mirza, learned Amicus Curiae, Shri D. P. Thakare, learned Assistant Government Pleader for the respondent nos.2 to 5, Shri D. M. Kale, learned counsel for the respondent no.1, Shri A. R. Patil, learned counsel for the respondent no.6 and Shri D. M. Kakani, learned counsel for the respondent no.11.

2. After hearing the submissions of all sides, it appears to us that there are still some encroachments, which are remained to be removed by the Municipal Council in spite of repeated directions have been given by the Nodal Officer, the Divisional Commissioner, Amravati. In-fact, this Court has also repeatedly directed the Municipal Council, Shegaon to remove all the encroachments but, the directions have not been fully complied with. We give last chance to the Municipal Council, Shegaon to remove all

the encroachments strictly in terms of the directions issued by this Court and also the Nodal Officer of Shegaon Development Committee, failing which, this Court shall be constrained to take coercive action against the Chief Officer and also all the concerned Officers of Shegaon Municipal Council. We direct the Collector, Buldhana and Superintendent of Police, Buldhana to provide all necessary assistance including adequate police protection and Bandobast to Chief Officer, Municipal Council, Shegaon for performing his duty in complying with the directions issued by this Court.

3. A compliance report in this regard through affidavit shall be filed separately by Chief Officer, Municipal Council, Shegaon and also Nodal Officer, Shegaon Development Committee on or before the next date. Copy of the report shall be furnished well in advance to the learned Amicus Curiae.

4. Stand over **28.09.2022**

(VALMIKI SA MENEZES, J.) (SUNIL B. SHUKRE, J.)