

ITEM NO.40

COURT NO.4

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6873/2014

(From the judgement and order dated 06/11/2012 in WP No.8032/2012 of The HIGH COURT OF JUDICATURE AT BOMBAY BENCH AT AURANGABAD)

SAYYED RATANBHAI SAYEED (D)TH. LRS & ORS

Petitioner(s)

VERSUS

SHIRDI NAGAR PANCHAYAAT & ANR

Respondent(s)

(With office report)

WITH

Civil Appeal NO. 3154 of 2011

[SAYYED RATANBHAI SAYEED (D) TR. LRS. & ORS. V. TAHASILDAR, RAHATA & ORS.]

(With office report)

Civil Appeal NO. 3155-3157 of 2011

GANGADHAR KASHINATH TURKANE & ORS. ETC. V. STATE OF MAHARASHTRA & ORS. ETC.]

(With office report)

Civil Appeal NO. 3158 of 2011

[KRUSHNARAO (D) TH. LRS. V. TAHSILDAR RAHATA & ORS.]

SLP(C) NO. 6874 of 2014

[PRADEEP & ANR. V. SHIRDI NAGAR PANCHAYAT & ORS.]

(With office report)

Date: 07/03/2014

These Matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)
Rest of the matters

Mr. Ranjit Kumar, Sr. Adv.
Mr. Nishant Ramakantrao Katneshwarkar, Adv.
Mr. Sachin Kulkarni, Adv.

In CA 3155-57

Mr. Arvind S. Avhad, Adv.
Mr. Karri Venkata Reddy, Adv.
Mr. A.V.S. Raju, Adv.

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Mr. V.K. Siddharthan, Adv.

In CA 3158

Mr. S. S. Shamsbery, Adv.
Mr. Bhakti Vardhan, Adv.
Mr. Sandeep Singh, Adv.
Dr. Kailash Chand, Adv.

For Respondent(s)

Mr. Shekhar Naphade, Sr. Adv.
Mr. Sanjay V. Kharde, Adv.
Ms. Shubhangi Tuli, Adv.
Mr. Preshit V. Surshe, Adv.
Mr. Sunil Kumar Verma, Adv.

For State

Mr. Nitin S. Tambwekar, Adv.
Mr. Aniruddha P. Mayee, Adv.
Ms. Chandan Ramamurthi, Adv.

UPON hearing counsel the Court made the following
O R D E R

Pursuant to orders passed by this Court on 28th February, 2014. additional documents have been filed by petitioners in SLP(C) NO. 6873 of 2014 as well as Shirdi Nagar Panchayat regarding the sanctioned roads of 9 metres wide and 15 meters wide by the side of Garden No. 13A and Shopping Centre 13B respectively. We find from Annexure-2 filed by the Nagar Panchayat that there is a control line of State High way as per Government Resolution passing through Garden 13A and Shopping Centre, 13B.

Learned counsel appearing for the Nagar Panchayat, therefore, submits that it is not possible to accommodate the petitioners/appellants by allotting the land in 13A or the land in 13B and the shops in the land 13A and 13B will have to be demolished.

Learned counsel appearing for the State will
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to obtain instructions before the next date as whether the shops located in the land in 13A and the land in 13B can be shifted to some other appropriate place around or near the temple. The State Government may consider the land in Site NO. 10 proposed by the petitioners/appellants

for

rehabilitation of the shops.

we

Considering the urgency of the matter,
request the State Government to take a decision
within two weeks and communicate the same through
their counsel to this Court.

These matters be listed on 25th March, 2014
along with counter affidavit.

Status quo shall continue to operate in the
meanwhile.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER