

ITEM NO.2 Court 6 (Video Conferencing) SECTION IX

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 10326/2020

(Arising out of impugned final judgment and order dated 26-07-2019 in WP No. 5920/2017 passed by the High Court of Judicature at Bombay)

NASHIK MUNICIPAL CORPORATION Petitioner(s)

VERSUS

PRABHAKAR KISAN MALI & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.110451/2020-CONDONATION OF DELAY IN FILING and IA No.110452/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.110453/2020-EXEMPTION FROM FILING O.T.)

Date : 25-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Amol Chitale, Adv.  
Mrs. Pragya Baghel, AOR

For Respondent(s) Mr. Vinay Navare, Sr. Adv.  
Mr. Chinmay Deshpande, Adv.  
Mr. Srinivas Deshpande, Adv.  
Mr. Anirudh Sanganeria, AOR

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

Delay condoned.

We fully endorse the view taken by the High Court in respect of the stand of the State Government which is responsible for the mess created and we are of the view that the respondents cannot bear the effect of this dillydallying on the part of the State Government. The consequence of the impugned order to which we have given

our imprimatur would be that the petitioner-Corporation would be deemed to have the sanction under Section 51(4) of the Bombay Provincial Municipal Corporations Act, 1949.

We are thus, not inclined to interfere with the impugned judgment under Article 136 of the Constitution of India. The special leave petition is accordingly dismissed.

Pending applications shall also stand disposed of.

(ASHA SUNDRIYAL)  
AR-CUM-PS

(ANITA RANI AHUJA)  
ASSISTANT REGISTRAR