

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.646 OF 2010

IN

WRIT PETITION NO.126 OF 2004

...

The Lonavala Municipal Council ..Applicant

v/s.

Chandulal M. Talera & ors. ..Respondents

...

Shri R.S.Apate with Mr.A.A.Garge for the
Applicant.

Mr.M.s.Karnik for Respondent No.1.

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CORAM: D.K.DESHMUKH, &

R.Y.GANOO, JJ

DATED: 30th April,2010

P.C.:

The order dated 24-6-2008, of which the
modification is sought, just records a

statement made on behalf of the Applicant. The statement was to stop use of the land as Dumping ground after expiry of period of six months from 24-6-2008. Really speaking as it is only a statement recorded by the court, no modification of the order is possible. Even assuming that it is possible, then also application should have been made within a period of six months from 24-6-2008. No explanation is given why application was not made before 24th December, 2008 or even immediately thereafter. That the Applicant was persuing the State Government is no explanation. Civil Application is, therefore, rejected.

(D.K.DESHMUKH, J.)

(R.Y.GANOO, J.)