

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 1220 OF 2015

SANT SHIROMANI SAVTA MALI BHAJIPALA ADAT ASSOCIATION, JALGAON
VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mr. Hon Ashwin V.
Mrs. AV Gondhalekar, AGP for Respondent No.1/State;
Mr. Rane Girish S., Adv. For R/2.

...

CORAM : R. M. BORDE & P.R. BORA, JJ.

Dated: June 18, 2015

...

PER COURT :-

1) Heard. The petitioner takes exception to the resolution adopted by the Municipal Council in respect of establishment of fish market in the vicinity of the vegetable market.

2) In view of availability of alternate remedy of questioning validity of the resolution under Section 308 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (for short, the said Act), we do not deem it appropriate to cause interference in the instant matter.

3) The petitioner may approach the concerned Collector with a request to consider the issue of validity of the resolution, in question, in observance of the procedure prescribed under the said Act, within a period of four weeks from today. If the petitioner tenders a

BDV

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

representation to the Collector, within the period, stipulated as above, the Collector may take appropriate steps, if deemed necessary, in accordance with provisions of the law and in observance of the procedure prescribed thereunder, as expeditiously as possible and preferably within 12 weeks from the date of receipt of the application/representation.

4) In view of the above, the writ petition is disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

...