

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

11 WRIT PETITION NO. 10610 OF 2014

JAIRAM SIDDESHWAR KANCHALWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Amit A. Mukhedkar
Mr. NB Patil, AGP for Respondents: 1 to 6 & 8;
Mr. BA Darak, Adv. For Resp.No. 7.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: August 11, 2015

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PER COURT :-

1) Heard. The petitioner has approached this Court praying for issuance of directions to the respondents to release the landed property belonging to him from the reservation on the ground that even after issuance of notice by him within contemplation of Section 127 of The Maharashtra Regional Town Planing Act, 1966 (for short, MRTTP Act), no steps have been taken by the respondents for acquisition of the property.

2) On perusal of the notice which is at page 42 Exhibit-C to the petition, it transpires that the notice which has been issued by the petitioner is within contemplation of Section 49 of the MRTTP Act and the petitioner has not issued notice within contemplation of Section 127 of the MRTTP Act.

3) The petition presented by the petitioner is misconceived. Keeping open the option of the petitioner to issue a fresh notice within contemplation of Section 127 of the MRTTP Act on the Planning Authority or the Appropriate Authority, as the case may be, the writ petition stands disposed of.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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