

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2427 OF 2013
WITH
WRIT PETITION NO.2428 FO 2013

WP NO.2427 OF 2013

Shri Vitthalrao Dhondaji Jadhav. .. Petitioner
Vs
The State of Maharashtra and Others. .. Respondents
—

WP NO.2428 OF 2013

Shri Anil Gangadhar Gokhale & Another. .. Petitioners
Vs
The State of Maharashtra and Others. .. Respondents
--

Shri Sanjay D. Thokade for the Petitioner.
Shri V.P. Malvankar, AGP "A" Panel for Respondent Nos.1 to 5.
Shri Akshay Shinde i/by Shri A.M. Kulkarni for Respondent No.6.
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CORAM : A.S. OKA & C.V.BHADANG, JJ
DATED : 20TH APRIL 2015

P.C.

. Heard learned counsel appearing for the Petitioners. The only contention raised in these two Petitions is that the reservation admittedly provided in the sanctioned Development Plan of Tasgaon cannot be implemented on the ground that a part of the land covered by the same reservation has been released. The prayer is for cancellation of the reservation.

2. Admittedly, the land claimed by the Petitioners is not released from the reservation either under Section 49 or Section 127 of the Maharashtra Regional and Town Planning Act, 1966. There is no challenge to the validity of the relevant part of the sanctioned Development Plan. Therefore, no relief can be granted in these two Petitions. The Petitions are accordingly, rejected.

3. We, however, make it clear that we have not made any adjudication on the issue whether reservations in the sanctioned Development Plan in relation to the properties claimed by the Petitioners are capable of being implemented.

(C.V. BHADANG, J)

(A.S. OKA, J)