

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5530 OF 2015

Rajesh S/o Ashok Mohota

-vs-

State of Maharashtra, thr. the Secretary, Ministry of Urban Development Deptt. and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.B.N.Mohta, counsel for the petitioner.

Mr.N.R.Rode, A.G.P for the respondent Nos.1-A & 1-B.

CORAM : SMT. VASANTI A. NAIK &
PRASANNA. B. VARALE, JJ.

DATE : 04.12.2015.

By this petition, the petitioner impugns the resolution of the Municipal Council, dated 24/02/2012 as also the agreement executed between the Municipal Council and the respondent No.3 in the year 2012.

We dismiss the petition on two counts. Firstly, the resolution of the Municipal Council could be challenged in the appropriate proceedings under the Maharashtra (Municipal Councils), (Nagar Panchayats And Industrial Townships) Act, 1965. Secondly, the petition suffers from laches. The resolution and the agreement of the year 2012 are being challenged by the instant petition. Also, several disputed questions of facts may arise for consideration in this writ petition.

In the result, the writ petition fails and is dismissed with no order as to costs.

JUDGE

JUDGE