

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No. 4524 OF 2012.

Mahatama Fule Sabji Market Association.

VERSUS

State of Maharashtra and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CORAM : B.P. DHARMADHIKARI
& A.S. CHANDURKAR, JJ.

DATED : FEBRUARY 03, 2015.

Heard Shri S.M. Puranik, learned Counsel
for the petitioner, learned A.G.P. for respondent nos. 1
and 2 and Shri A.Y. Kapgate, learned Counsel for
respondent no.3.

Petitioner is an association of vegetable
vendors who hold market and sell vegetables in area
of Gram Panchayat, Lakhni in Lakhni Town itself. The
market is held every week on survey nos. 87 and 88.
Police authorities as also Local authorities namely
Village Panchayat objected to it on the ground that

daily holding of market is causing traffic congestion and other problems. It appears that Lakhni Gram Panchayat has passed a resolution to shift the market to Market Yard of A.P.M.C. However, petitioners have come up with a specific case that they are not holding daily market and they are only holding weekly market on every Tuesday, since 1960.

In view of this statement, it is apparent that the Village Panchayat, Lakhni as also respondents can deal with the nuisance of daily market, if it is taking place, in accordance with law.

We only note that survey nos. 87 and 88 are reserved for holding a market in the development plan as also in nistar patra under Maharashtra Land Revenue Code. Thus its user for weekly market cannot be opposed by the respondents.

In the light of above observations, we find that the grievance of respondents as against the petitioner does not survive. Writ Petition is, accordingly disposed of. No costs.

JUDGE

JUDGE

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