

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
AURANGABAD BENCH, AT AURANGABAD.**

**Writ Petition No. 249 of 2013**

Jafarkhan Amjadkhan,  
Age : 54 years,  
Occupation : Business,  
R/o. Jadhav Galli, Vaijapur,  
Taluka : Vaijapur,  
District : Aurangabad,  
& 3 others.

.. Petitioners.

**versus**

The State of Maharashtra,  
Through its Secretary,  
Urban Development Department,  
Mantralaya, Mumbai - 32,  
& 3 others.

.. Respondents.

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*Mr. Hrishikesh A. Joshi, Advocate, for petitioners.*

*Mr. V.D. Rakh, Asst. Government Pleader, for  
respondent nos.1 to 3.*

*Mr. N.D. Sonavane, Advocate, for respondent no.4.*

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**CORAM : S.V. GANGAPURWALA &  
A.M. BADAR, JJ.**

**DATE : 5TH JANUARY 2016**

**PER COURT :**

1. We have heard Mr. Joshi, the learned Counsel appearing for petitioners.

2. Mr. Sonavane, the learned Counsel appearing for respondent no.4 - Municipal Council, Vaijapur, submits that the purpose of the Writ Petition is served. Survey No. 271 earlier was reserved for extension of Cottage Hospital. Thereafter in subsequent Draft Development Plan, Survey No. 271 was shown as reserved for Town Hall. There is change in the Draft Development Plan and the reservation shown as Site No. 84 for Town Hall is deleted and the said deleted area is included in the residential zone and the Town Hall reservation is shifted from Survey No. 271 to Survey No. 62. This subsequent change in the Draft Development Plan is published in the Government Gazette on 22nd March 2013 and the Draft Development Plan is pending before State Government for final approval.

3. In the light of above, purpose of the petition is served. In case, the State Government does not grant final approval to the Draft Development Plan and the petitioner is prejudiced, the petitioner may assail the same subsequently.

4. With the above observations, the Writ Petition is disposed of. No costs.

**( A.M. BADAR )**  
**JUDGE**

**( S.V. GANGAPURWALA )**  
**JUDGE**

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