

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

Writ Petition No. 1274 of 2013

District : Beed

Mahatma Jyotiba Phule Fruits
and Vegetable Wholesale Dealer
Dalal Association, Beed,
Through its Vice President,
Shaikh Hussain Shaikh Jafer Bagwan,
Age : 42 years,
Occupation : Business,
R/o. Raviwar Peth, Kumbharwada,
Beed, Taluka and District : Beed.

.. Petitioner.

versus

1. The State of Maharashtra,
Through the Secretary,
Department of Urban Development,
Mantralaya, Mumbai - 32.
2. The Chief Officer,
Municipal Council, Beed.

.. Respondents.

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Mr. K.S. Bhore, Advocate, for the petitioner.

*Mr. S.N. Morampalle, Asst. Government Pleader, for
respondent no.1.*

Mr. G.K. Thigle (Naik), Advocate, for respondent no.2.

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

DATE : 11TH FEBRUARY 2016

COURT'S ORDER (Per S.V. Gangapurwala, J.) :

1. Mr. Bhore, the learned Counsel for the petitioner, submits that the petitioner has been allotted 46 shops. Agreement to that effect is also executed. According to the learned Counsel, payment is made for additional six shops but the same are not allotted to the petitioner nor possession is given.
2. Mr. Thigle, the learned Counsel for respondent no.2 - Municipal Council, submits that the Municipal Council could not verify from the record regarding payment of the amount in respect of additional six shops.
3. The petitioner has already given representation dated 24-10-2011 (page 22 with the petition) to the Municipal Council. The Municipal Council shall verify from the record and take decision on the said representation expeditiously and preferably within three months from today. The petitioner is at liberty to produce receipts of the payment made so as to facilitate early decision.
4. Till the decision on representation dated 24-10-2011 (page 22 with the petition) is communicated to the petitioner, interim orders passed by this Court in the present Writ Petition shall continue.

5. With the above directions, the Writ Petition is disposed of.
No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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