

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

WRIT PETITION NO. 3834 OF 2016

Mahammad Yakub Mahammad Hushen
(Jalebiwale) ...PETITIONER

versus

The State of Maharashtra and others ...RESPONDENTS

.....
Mr. M.R. Sandanshiv, Advocate for petitioner
Mr. B.A. Shinde, AGP for respondents
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 5th APRIL, 2016.

Order :-

1. Mr. Sandanshive, learned counsel appearing for petitioner submits that to direct respondents – authorities to decide representation filed by the petitioner and further direct respondent No. 3 to construct the shopping complex on the plot CTS No. 3100 at Chopda, District Jalgaon. According to learned counsel, said site is reserved for shopping complex by the Municipal Council, Chopada. Even the Collector has wrote a letter to the Authority of Municipal Council, Chopada, however, it has not been complied with said letter.

2. We have heard learned Assistant Government Pleader also.

3. The construction of the shopping complex would depend upon financial capacity of Municipal council. It is for the Municipal Council to take decision about construction of shopping complex, manner of

construction etc. It would not be possible for this Court to direct the Municipal Council to make construction of shopping complex in particular manner or within stipulated period.

4. Considering the above, we are not inclined to entertain the writ petition and the same disposed of accordingly. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK