

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

Writ Petition No. 6660 of 2015

District : Aurangabad

Suresh s/o. Uttamrao Pawar,
Age : 41 years,
Occupation : Agriculture,
R/o. Gut No. 374, Chikalthana,
Aurangabad,
District : Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
Through Urban Development Department,
Mantralaya,
Mumbai 400 032.
 2. The Secretary,
Urban Development Department - 1,
Mantralaya,
Mumbai - 400 032.
 3. The Director of Town Planning,
Central Building,
Pune.
 4. Joint Director of Town Planning,
Aurangabad.
 5. Dy. Director of Town Planning,
Development Plan Special Unit,
Aurangabad.
 6. Aurangabad Municipal Corporation,
Aurangabad,
Through Commissioner.
- .. Respondents.

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Mr. D.P. Palodkar, Advocate, for the petitioner.

*Mr. A.M. Phule, Asst. Government Pleader, for
respondent nos.1 to 5.*

Mr. A.M. Karad, Advocate, for respondent no.6.

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

DATE : 5TH FEBRUARY 2016

PER COURT :

1. Heard the learned Counsel for respective parties.
2. Mr. Karad, the learned Counsel for respondent no.6 - Corporation, states that the notification as required under the provisions of the Maharashtra Regional & Town Planning Act 1966, in respect of the revised development plan is already issued and notified in the Government Gazette on 4th February 2016. It is stated in the said notification that part plan of the said Draft Development Plan or copy of extract of report can be obtained by application on remittance of requisite fees from the office of the Municipal Corporation, Aurangabad & also available on Aurangabad Municipal Corporation's website. The petitioner may get copy of the same by making application to the Corporation.
3. In view of that, purpose of the Writ Petition does not survive.

4. Mr. Palodkar, the learned Counsel for the petitioner, states that the petitioner be given liberty to assail the revised Development Plan as is notified.

5. The same could be on a fresh cause of action. The petitioner may assail the same as would be permissible in law.

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

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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