

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

**WRIT PETITION NO. 6694 OF 2015**

Prashant S/o Purushottam Dixit .. Petitioner

**Versus**

The District Collector and Others .. Respondents

Shri L. V. Sangeet, Advocate for the Petitioner.  
Smt. M. A. Deshpande, A. G. P. for Respondent Nos. 1 to 4 and 6.  
Shri N. B. Suryawanshi, Advocate for the Respondent No. 5.

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

**DATE : 18TH JANUARY, 2016.**

**PER COURT :-**

1. Mr. Sangeet, the learned counsel submits that, the petitioner is a Member of the respondent No. 5 Society. Way back in the year, 1953, order was passed by the Collector that, the plots shall not be subdivided and will be used only for residential purpose. However, the plots of the Society are being subdivided and are being used for commercial activity. The petitioner has filed representations from time to time to the Authorities but no decision has been taken upon the same.

2. Mr. Suryawanshi, the learned counsel for the respondent No. 5 on instructions submits that, no permission has been given by the Society to use the plots for commercial purpose nor the plots are subdivided.

3. Learned A. G. P. states that, if the representations are pending then, the Authorities would consider the same on its own merits.

4. Considering the above, we pass the following order -

I] The respondent No. 3, shall consider and take appropriate steps pursuant to the representations given by the petitioner dated 12.10.2012, 5.11.2014 and 23.01.2015 expeditiously, after hearing all parties concerned and preferably within a period of six (6) months.

II] The amount deposited by the petitioner be refunded to the petitioner.

5. The writ petition is accordingly disposed of. No costs.

**[ A. M. BADAR, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

sam/Jan.15