

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

WRIT PETITION NO. 6551 OF 2013

Julekhabi Nabu Shaikh Beldar
GPA Ravindra Nathulal Nawal .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Pralhad D. Bachate, Advocate for the Petitioner.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 4.
Shri D. S. Bagul, Advocate for the Respondent No. 5.

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

DATE : 02ND MARCH, 2016.

PER COURT :

. Mr. Bachate, the learned counsel submits that, application was filed for non agriculture permission U/Sec. 44 of the Maharashtra Land Revenue Code in respect of properties bearing gut Nos. 862/1 and 862/2. The same is filed in March 2013, which is received by concerned respondent on 04.04.2016, however, till date nothing has been communicated to the petitioner in this regard.

2. Mr. Karlekar, the learned A. G. P. submits that, as far as land gut No. 862/1 is concerned, the same falls in no development

zone, as such request for grant of N. A. tot he petitioner is refused. According to learned counsel for the petitioner, the said area is now included in residential zone.

3. In view of the changed circumstances, the petitioner may file application afresh for grant of non agricultural permission U/Sec. 44 of the M. L. R. Code to the authorities. The authorities on receipt of the same shall take decision on the said application expeditiously and in accordance with the provisions of U/Sec. 44 of the M. L. R. Code. The writ petition is disposed of with aforesaid observations. No costs.

[A. M. BADAR, J.]

[S. V. GANGAPURWALA, J.]