

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5825 OF 2016

Motiram B. Dinde

..Petitioner

v/s.

The State of Maharashtra .

..Respondents

Mr. Jaydeep Deo for the Petitioner.
Mrs.M.P.Thakur, AGP for the State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : OCTOBER 10, 2016.**

P.C.

1. Learned Counsel Mr. Deo, at the outset restricts this petition to the relief claimed in prayer clause (c). By the said prayer the petitioner is seeking direction to the respondent no.1 State to consider his case to exclude the property being Survey No.103/8/2 admeasuring 25.5 gunthas situated at village Nandur Dasak, Tal & District Nashik from being affected by the proposed 18 meter road.
2. Mr. Deo, learned Counsel does not dispute that the objections to the revised draft development plan were invited and he raised the

objection to exclude the said property from the proposed 18 meter road. He also does not dispute that he was heard by the Planning Authority. He further does not dispute that the draft revised plan is pending for final approval before the Government and he has no right to be heard before the Government. In the circumstances, the relief claimed in prayer clause (c) cannot be granted. Petition is devoid of merits. Hence petition is dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)