

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1281 OF 2016

Shri Uttam Ambadas Rai (Kalal) ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Sachin Gite for the petitioner.
V.S.Gokhale, AGP for respondent Nos.1.

CORAM : A.S. OKA AND C.V.BHADANG, JJ

DATED : 29th January 2016.

PC. :

Not on board. Taken up on board.

2. Heard the learned counsel for the petitioner and the learned AGP for respondent No.1. The Nashik Municipal Corporation has prepared a draft revised development plan for the city. The said plan was submitted to the State Government for sanction, but the same has not been sanctioned. The grievance made in the petition is that the property claimed by the petitioner is not shown in the revised draft development plan. We fail to understand as to how the petitioner is affected if the said property is not shown under any reservation in the revised draft development plan. If, according to the petitioner, the property claimed by him exists, then it cannot cease to exist because it is not shown in the revised draft development plan. Moreover, the revised draft development plan is not even sanctioned. If the petitioner has any grievance about the revised draft development plan, he can make that grievance only after it is sanctioned. Hence, at this stage, no case is made out to entertain this petition under Article 226 of the Constitution of India.

3. The petition is rejected.

(C.V. BHADANG, J)

(A.S.OKA, J)