

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6680 OF 2016

[Sudhakar s/o Narayan Gotephode and others .vs. State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri Masood Shareef, counsel for the petitioners,
 Shri S.P. Deshpande, Additional Government Pleader for respondent no.1,
 Shri S.M. Ghare, counsel for respondent no.2,
 Shri M.P. Khajanchi, counsel for respondent no.3.

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CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : NOVEMBER 28, 2016.

By this writ petition, the petitioners have sought a direction against the respondent nos.2 and 3 to allot the shops to the petitioners in the newly established wholesale vegetable market.

By disposing of Writ Petition No.5404/2016, we have directed the State Government to decide the proposal in respect of the modification of the final development plan within three months after the removal of the discrepancies by the Municipal Council. The question, whether the concerned site could be permanently used as a vegetable market or not, would be subject to the decision of the State Government on the proposal for modification of the development plan. However, since the respondent no.3 has started operating on the proposed site that is liable to be used as a vegetable market as per the proposed development plan, on the statement made by the counsel for the respondent nos.2 and 3 that the claim of the petitioners for allotment of the shops would be considered, we dispose of the writ petition, with no order as to costs.

JUDGE

JUDGE