

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

Writ Petition No. 5173 of 1997

District : Aurangabad

1. Dr. Riaz Bakri s/o.
Zulfiqar Ali,
Age : Major,
Occupation : Dental Surgeon,
R/o. Fazalpura,
Aurangabad.

2. Fakruddin s/o. Abdullabhai,
Age : Major,
Occupation : Business,
R/o. Fazalpura,
Aurangabad.

.. Petitioners.

versus

1. Aurangabad Municipal
Corporation, Aurangabad
(through its Municipal
Commissioner,
At & Dist. Aurangabad).

.. Respondent no.1

2. Shri Vaidya D.N.,
Age : Major,
Occupation : Govt. Service,
Presently working as
Municipal Commissioner of
the respondent no.1,
At & Dist. : Aurangabad.

.. Respondent no.2
deleted.

3. Shri Kamlakar Phand,
Age : Major,
Occupation : Service
with respondent no.1 as
Dy. Municipal Commissioner,
At & Dist. Aurangabad.

.. Respondent no.3
deleted.

4. The State of Maharashtra,
Through Secretary,
Department of Urban Development,
Mantralaya, Mumbai.

.. Respondent no.4.

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*Mr. P.F. Patni, Advocate, for the petitioners
(Absent).*

*Mr. V.D. Sonawane, Advocate, for respondent no.01
(Absent).*

*Respondent nos.02 and 03 deleted as per Court's
order dated 29.01.2016.*

*Mr. A.R. Borulkar, Asst. Government Pleader, for
respondent no.04.*

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**CORAM : V.M. KANADE &
SANGITRAO S. PATIL, JJ.**

DATE : 04TH JANUARY 2017

ORAL JUDGMENT (Per V.M. Kanade, J.) :

None appears on behalf of the petitioners and respondent no.01. Heard the learned Asst. Government Pleader appearing on behalf of respondent no.04.

02. Rule was granted by this Court on 25th July 2000. Interim relief was not granted. The matter pertains to the decision taken by the Corporation to extend 25 feet wide road, which is pending since last two decades.

03. This is an old petition which was filed in the year 1997. It is pending since last almost two decades. It appears that the petitioner is not keen in pursuing the petition.

04. We have perused the affidavit in reply filed on behalf of respondent nos.01, 02 and 03. Even on merits and in view of the reply filed by the Corporation, in our view, no case is made out for interference in the action taken by the Corporation. On merits also, there is no substance in the petition.

05. The petition is dismissed. Rule discharged. No order as to costs.

(Sangitrao S. Patil)
JUDGE

(V.M. Kanade)
JUDGE

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