

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5236 OF 2017

Vinayakrao s/o Laxman Hiwale
& others

Petitioners

Versus

The State of Maharashtra
& others

Respondents

Mr. S.S. Thombre, advocate for the petitioners.
Mrs. M.A. Deshpande, A.G.P. for Respondents 1 and 3.
Mr. A.P. Bhandari, advocate for respondent no. 2.

**CORAM : R.M.BORDE &
K.L. WADANE, JJ.**

DATE : 19th APRIL, 2017

PER COURT:

Learned counsel for Municipal Corporation states on instructions from Assistant Director, Town Planning, that the petitioner is pre-mature and the Municipal Corporation has only initiated the process of providing marking for widening of the road.

2. Learned counsel for petitioners contends that there is a serious threat of dispossession of petitioners. It is expected of the Municipal Corporation to observe the mandate of law and take steps in accordance with the provisions of Maharashtra Municipal Corporation Act.

3. Learned counsel for Municipal Corporation states on instructions that before initiating adverse action notice as required under the provisions of the Act would be issued to petitioners and they would be called upon to tender their reply.

4. It would be open for the petitioners to raise appropriate contentions in response to the notices those the Municipal corporation may issue. It would be open for the Municipal Corporation, after receiving replies of the concerned petitioners, to take appropriate steps in observance of the provisions of the Act. It would also be open for the petitioners, if occasion arises, to avail of the remedies as provided in law.

5. In view of above, writ petition stands disposed of.

(K. L. WADANE)
JUDGE

(R.M.BORDE)
JUDGE