

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

WRIT PETITION NO. 10152 OF 2016

SHRIKISHAN RANGLAL AGROYA
VERSUS
THE COMMISSIONER LATUR CITY MUNICIPAL CORPORATION, LATUR.

...
Advocate for Petitioner : Ms.Poonam V. Bodke Patil.
Advocate for Respondent 1 : Shri V.D.Hon, Senior Advocate h/f Shri
A.V.Hon.
Advocate for Respondent 2 : Shri Adgaonkar Ravibhushan P.

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**CORAM: S.C. DHARMADHIKARI
AND
MANGESH S. PATIL, JJ.**

DATE :- 25th July, 2017

PC.:

1 After the Writ Petition was argued for sometime, the Petitioner's Advocate, on instructions, gives up all other claims and reliefs, but states that the Latur Municipal Corporation had issued the notice dated 30.11.2015 to Respondent No.2, but has not taken any action in pursuance thereof. The notice is traceable to Section 53 of the Maharashtra Regional and Town Planning Act, 1966 and is on the subject of unauthorized construction allegedly carried out by Respondent No.2.

2 We find that there is a reference made to this notice in the affidavit-in-reply of the Latur Municipal Corporation in paragraph 6, page 101 of the paper book. The Latur Municipal Corporation admits that such

notice was issued, but the Zonal Officer was unable to take further steps as there is likely to be the law and order problem.

3 Mr.Hon, learned Senior Counsel appearing for the Latur Municipal Corporation, assures the Court that within a period of two months from the date of receipt of a copy of this order, the Latur Municipal Corporation shall take necessary steps and in accordance with law.

4 It would be open for Respondent No.2 to file a reply to the notice and which shall be filed within a period of three weeks from today. If the reply is not filed, the Municipal Corporation is free to proceed in terms of it's notice and legal provisions.

5 The Writ Petition is disposed of with these directions.