

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

Writ Petition No. 11645 of 2016

District : Ahmednagar

Nirmalkumar s/o. Rizwandas Jain,
Age : 62 years,
Occupation : Business,
R/o. Navyug Colony,
Near Rahuri Station,
Tandulwadi,
Taluka Rahuri,
District Ahmednagar.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Rural Development Department,
Mantralaya, Mumbai - 32.
2. The State of Maharashtra,
Through its Principal Secretary,
Urban Development Department,
Mantralaya, Mumbai - 32.
3. The State of Maharashtra,
Through its Principal Secretary,
Revenue Department,
Mantralaya, Mumbai - 32.
4. Deputy Director,
Town Planning Department,
Nashik.
5. The Collector,
Ahmednagar.
6. The Chief Executive Officer,
Zilla Parishad, Ahmednagar.
7. Town Planning Department,
Ahmednagar.
8. The Tahsildar, Rahuri,
District Ahmednagar.

9. The Panchayat Samiti,
Rahuri,
District Ahmednagar.

10. The Rahuri Municipal Council,
Rahuri. .. Respondents.

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Mr. Hemant U. Dhage, Advocate, for the petitioner.

*Mrs. A.V. Gondhalekar, Asst. Government Pleader,
for respondent nos.01 to 05 and 08.*

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

DATE : 16TH JANUARY 2017

ORAL ORDER :

Heard the learned Counsel appearing on behalf of the petitioner and the learned Asst. Government Pleader appearing on behalf of respondent nos.01 to 05 and 08.

02. The petitioner is aggrieved by exclusion of certain villages from Rahuri Municipal Council. This has happened in the year 1973. His grievance is that this action is arbitrary and illegal. By the present petition, the petitioner seeks a direction to the respondents to initiate inquiry in respect of the area mentioned in the petition and hold that the disputed area is part and parcel of Rahuri Municipal Council limits.

03. The petitioner is challenging some decision

taken by the State Government in the year 1973 by filing a petition in the year 2016. There is gross delay in approaching this Court. Therefore, we are not inclined to interfere in the matter in exercise of extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

04. Right of the petitioner to approach appropriate authority in the matter by filing a representation is preserved. If any representation is already made of the subject matter, it shall be decided in accordance with law.

05. With the above observations, the Writ Petition is disposed of.

(Sangitrao S. Patil)
JUDGE

(V.M. Kanade)
JUDGE

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