

BENCH AT AURANGABAD

Subhash S/o Ramrao Jadhav.

Versus

...Respondents...

Shri A.S. Shinde, AGP for the State.

DATE: 11.01.2017

1] The petitioner claims to be the owner of a land of which lay out was prepared and sanction was granted by the Corporation, however, a complaint was filed by one person and on the basis of such a complaint, the order granting lay out was stayed in the appeal by the Commissioner, which was filed u/s 47 of the Maharashtra Regional Town Planning Act, 1966. According to the petitioner, the Commissioner has no jurisdiction to grant

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stay u/s 47. It is submitted that though the hearing is over in the appeal two years ago in the year 2014, still no order has been passed.

2] Without going into the question as to whether interim order could be passed by the Commissioner or not, we are of the view that since the Commissioner u/s 47 has already heard the appeal, he may dispose it of on merits in accordance with law within a period of four weeks from today. The petition is disposed of accordingly. No costs.

(SANGITRAO S.PATIL, J.)

(V.M. KANADE, J.)