

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**WRIT PETITION NO. 3696 OF 2016.****(Dashrath Sadashiv Raut .vs. The State of Maharashtra & others)**

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI & ROHIT B. DEO, JJ.

DATED : JULY 10, 2017.

Heard Mr. S.A. Kalbande, learned Advocate for petitioner, Mr. A.A. Madiwale, learned A.G.P. for respondent no. 1, Mr. M.V. Samarth, learned Advocate for respondent nos. 2 & 3 and Mr. M.P. Tote, learned Advocate for respondent no.4.

Regularization under the Maharashtra Gunthewari (Regularization, Upgradation & Control) Act, 2001 has been denied for the first time in 2015. Several questions arise.

We find that vide notification dated 25.1.2016 Urban Development Department had exempted plots on which buildings have come up from reservation of compost depot. Again this treatment gives rise to several disputed questions.

According to Mr. S.A. Kalbande, learned Advocate for petitioner and Mr. M.V. Samarth, learned Advocate for respondent nos. 2 & 3, Gunthewari regularization contemplates possession of plot before 2001 for moving applications for regularization and extensions have been awarded later on. Necessary details are not placed on record either by petitioner or by respondent nos. 2 & 3.

In this situation, we grant petitioner leave to make appropriate representation pointing out all such details to respondent no.2 within two months from today. If such representation is made to respondent no.2 within two months from today, the respondent shall dispose of the representation within two months thereafter.

The Writ Petition stands disposed of. No costs.

Judge

Judge

J.