

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.617 OF 2018

Vinayakrao s/o Laxman Hiwale,
Age-52 years, Occu:Business,
R/o-Deolai, Gat No.3,
Patil Niwas, Tq. & Dist-Aurangabad.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Urban Development Dept.,
Mantralaya, Mumbai-32,
- 2) The Municipal Corporation,
Aurangabad,
Through its Municipal Commissioner,
- 3) District Collector, Aurangabad,
- 4) The Executive Engineer,
World Bank Project,
Sub Division No.3, Aurangabad,
- 5) The Executive Engineer,
Public Works Department,
Aurangabad,
- 6) Town Planning Authority,
Municipal Corporation,
Aurangabad.

...RESPONDENTS

WITH

WRIT PETITION NO.618 OF 2018

Mohd. Afsar Mohd. Ibrahim,
Age-48 years, Occu:Business,
R/o-Beed By-pass Road,
C.T.S. No.18812, Plot No.2,
Aurangabad, Dist-Aurangabad.

...PETITIONER**VERSUS**

- 1) The State of Maharashtra,
Through its Principal Secretary,
Urban Development Dept.,
Mantralaya, Mumbai-32,
- 2) The Municipal Corporation,
Aurangabad,
Through its Municipal Commissioner,
- 3) District Collector, Aurangabad,
- 4) The Executive Engineer,
World Bank Project,
Sub Division No.3, Aurangabad,
- 5) The Executive Engineer,
Public Works Department,
Aurangabad,
- 6) Town Planning Authority,
Municipal Corporation,
Aurangabad.

...RESPONDENTS

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Mr.S.S. Thombre Advocate for Petitioners.
Mr.S.B. Yawalkar, Additional G.P. and
Mr. S.S. Dande, A.G.P. for Respondent
Nos.1, 3, 4 and 5.
Mr. S.S. Tope Advocate for Respondent
Nos.2 and 6.

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**CORAM: S.S. SHINDE AND
S.M. GAVHANE, JJ.**

DATE : 17TH JANUARY, 2018

ORDER :

1. Heard learned counsel appearing for the Petitioners and learned counsel appearing for Respondent Nos.2 and 6.

2. Learned counsel appearing for Respondent Nos.2 and 6, on instructions, makes a statement that unless decision is rendered on the basis of hearing given to the Petitioners and similarly situated persons, no further action would be taken dehors the procedure contemplated under the provisions of Maharashtra Municipal Corporation Act.

3. In view of the statement made by learned counsel appearing for Respondent Nos.2 and 6, both the Writ Petitions are disposed of.

4. We make it clear that we have not considered the merits of the contentions raised in the Petitions and the same are left open to be agitated at the appropriate time.

[S.M. GAVHANE, J.]

asb/JAN18

[S.S. SHINDE, J.]