

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

WRIT PETITION NO. 1064 OF 2018

RAJENDRA SHRIRAM AMBILWADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.S. Thombre, Advocate for the petitioners
Mr.C.S.Kulkarni, AGP for the respondent/State
Mr.S.S.Dande, Advocate for respondent Nos.2 and 3

**CORAM : S.S. SHINDE &
S.M.GAVHANE, JJ.
DATED : 25.01.2018**

P.C. :-

. Heard learned counsel for the petitioner and learned AGP appearing for the State and learned counsel appearing for the respondent Nos.2 and 3.

2. Learned counsel appearing for the petitioner invites our attention to the provision of Section 53 of the Maharashtra Regional Town Planning, Act and in particular Sub-Section 3 thereof. We are not inclined to entertain the petition. However we find substance in the contention of the counsel appearing for the petitioner that respondent authority if want to take any action shall adhere to the provision of Section 53 of the MRTTP Act and any other procedure while removing encroachment.

3. With the above observations, the writ petition stands rejected.

4. Learned counsel appearing for the petitioner insisted that instead of rejection this Court may observe that the petition is disposed of. We reject the said prayer.

[S.M.GAVHANE,J.]

[S.S. SHINDE,J.]