

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 230 OF 2017

Chandramohan Digambar Yadav and others.... Petitioner.
V/s.
The Nashik Municipal Corporation and others. ... Respondents.

R.D.Soni i/b. Ram and Company for the petitioners.
Mr.M.M.Pabale, AGP for respondent Nos.3 to 5.

CORAM : A.S.OKA AND RIYAZ I CHAGLA, JJ.

DATE : 28th March 2018.

PC.:

Heard the learned counsel for the petitioners. The challenge in this petition under Article 226 of the Constitution of India is only to the letter dated 9th June 2016 submitted by the Commissioner of the first respondent- Municipal Corporation to the Principal Secretary of the Urban Development Department of the Government of Maharashtra. The said letter incorporates the Commissioner's suggestions on the draft development plan with a request to the State Government to consider the same while granting sanction to the draft development plan.

2. If at all the said suggestions are accepted and a provision to that effect is made in the sanctioned development plan, the petitioners can adopt appropriate remedy in accordance with law. At this stage, this petition under Article 226 of the Constitution of India need not be entertained.

3. Subject to what is observed above, the petition is disposed of. All contentions raised by the petitioners are kept open.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)