

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10917 OF 2014

Mr.Siddhesh Pilankar i/b Mr.Uday Warunjikar for the
Petitioner
Ms R.A.Salunkhe, AGP for the respondent-State

P.C.:

3 The challenge to the notification which is

issued only for publishing a draft Regulation cannot be entertained in writ jurisdiction. If at all any final decision is taken on the basis of the said notification and the petitioner is aggrieved by the said decision, the petitioner can file a fresh petition for incorporating the challenge to the final decision on the permissible grounds including the grounds which are agitated in this petition. Merely because the draft is published in accordance with sub-section 1 of section 37 of the Maharashtra Regional and Town Planning Act, 1966, the State Government is not bound to sanction proposed modification.

4 Therefore, subject to what is observed above, and with the liberty as granted above, writ petition is disposed of. All contentions on merits are kept open.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)