

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 370 OF 2018

(DR. PURUSHOTTAM DATTALAL PALDIWAL...VS.. STATE OF MAH. THR.URBAN DEV.DEPTT. & OTH)

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

Court's or Judge's orders

Shri Anand Parchure, Advocate for Petitioner.
 Ms M.A.Barabde, A.G.P. for Respondent Nos. 1 & 3.
 Shri D.M.Kale, Advocate for Respondent No.2.

CORAM : B.P.DHARMADHIKARI AND
Z.A.HAQ, JJ.

DATED : JUNE 22, 2018.

1. Heard for sometime.
2. *Prima-facie*, it appears that widening proposed in Development Plan (DP) is already over. Though land of the petitioner was shown in DP as affected, after actual exercise of widening it appears to be still not affected.
3. The facts can be verified by the respondent Nos. 2 and 3 along with the petitioner.
4. If the widening, as proposed, is already over and the land of the petitioner is not required therefor, there is no question of Planning Authority or anybody else proceeding further for acquisition.
5. Hence, without observing anything more, we direct the petitioners to contact Chief Officer, Municipal Council, Shegaon on 4th July, 2018 at 11.00 a.m. and to abide by his further instructions in the matter.

6. The respondent No.2-Municipal Council shall in consultation with the petitioner complete the exercise mentioned supra within next two months. The report thereof shall be submitted to office of the respondent No.3-Collector.

7. With liberty to the petitioner to approach again this Court, if his grievance is not redressed thereafter, we **dispose of** the writ petition. No costs.

(Z.A.Haq, J)

(B.P.Dharmadhikari,J)