

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

923 WRIT PETITION NO.6491 OF 2019

PANDIT PANDURANG KALE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Bipinchandra K. Patil, Advocate for the
Petitioner.

Mr. K. B. Jadhavar, AGP for Respondents-State.

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**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 13th JUNE, 2019.

PER COURT:-

1. We have heard Mr. Patil, learned counsel
for the petitioner.

2. According to the learned counsel, the
reservation provided is deemed to have lapsed. No
steps are taken by the respondents for a period of
ten years from the publication of the development
plan.

3. The reservation can be released or lapsed,
if a notice under section 127 of the MRTP Act is
issued and no steps for acquisition are taken
within the period stipulated under Section 127
and/or the petitioner issues notice under Section
49 of the said Act and further no steps are taken.

The another option would be a minor modification under Section 37 of the MRTP Act.

4. In the present case no notice under Section 127 or 49 issued nor respondents have taken any steps as per Section 37 of the MRTP Act.

5. In light of that, relief claimed cannot be granted. Writ Petition is disposed of. No costs. The petitioner may take up such steps as permissible in law.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE