

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

945 WRIT PETITION NO.6787 OF 2019

MAHADEO JAYAWANTA KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Jadhavar Dattatray H.

AGP for Respondents/State : Mr. S.G. Karlekar

...

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

DATE : 12.06.2019

P.C. :-

The petitioner contends that earlier notice was issued under Section 127 of the M.R.T.P Act on 29.06.2016. No steps for acquisition are taken. The subsequent notice is issued on 08.10.2018 the land stands released from reservation.

2. Mr. Karlekar the learned A.G.P accepts notice for respondent nos.1 and 2 and submits that the petition is premature.

3. As far as earlier notice dated 29.06.2016 is concerned the same has been dealt with by this Court under order dated 26.09.2018 in Writ Petition No. 10771 of 2018 and it was held that the said notice is not in conformity with Section 127 of the Act. The petitioner was given liberty to issue fresh notice. The fresh notice under Section 127 of the M.R.T.P Act is

issued on 08.10.2018. The notice period required under Section 127 is two years.

4. In light of the above the writ petition is premature and the same stands disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]