

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

PUBLIC INTEREST LITIGATION NO.153 OF 2016

Narsinh s/o Laxmanrao Jadhav
Age: 47 years, Occ: Advocate,
R/o. Row Bungalow NO.19,
Narayan Pushpa Housing Society,
Gat No.710, Chikalthana,
Aurangabad

.. PETITIONER

VERSUS

1. The State of Maharashtra,
Through : Secretary,
Urban Development Department,
Mantralaya, Mumbai
2. The Commissioner,
Municipal Corporation, Aurangabad
District Aurangabad
3. The Collector, Aurangabad
District Aurangabad
4. The Deputy Director of Town Planning
Department, Aurangabad Municipal
Coporation, Aurangabad,
District Aurangabad

.. RESPONDENTS

Petitioner party-in-person : present
Smt Geeta L. Deshpande, A.G.P. for respondent Nos. 1 & 3;
Mr S.S. Tope, Advocate for respondent Nos.2 & 4

**CORAM : PRASANNA B. VARALE &
R.G. AVACHAT, JJ.**

DATED : 8th JULY, 2019

ORAL ORDER:

By order dated 26th June, 2019 we permitted the petitioner Mr. N.L. Jadhav to attend the authority of Municipal Corporation, Aurangabad on 3rd July, 2019 with his suggestions along with the documents on which he is placing reliance.

2. Mr. Tope, learned Counsel appearing for respondent-Corporation placed on record the minutes of meeting dated 3rd July, 2019. We can positive response of the municipal corporation authority, on instructions of Mr. Tope, learned Counsel, who is appearing for the Corporation.

3. Perusal of the minutes of the meeting dated 3rd July, 2019 shows that meeting was attended in presence of

petitioner Mr. N.L. Jadhav in the chamber of Director of Town Planning, Town Planning Department, Municipal Corporation, Aurangabad. The petitioner was heard. The documents submitted by the petitioner were also perused.

4. The owner of adjacent land Gat No.713, by way of relinquishment deed, parted away his rights over the said property. It is stated in the report that this area can safely be utilized for approach road having 20 meters width and this approach road would take care of the convenience of the society members so as to reach main road through M.I.D.C. Then there is reference to certain procedural and administrative formalities, such as submitting budget in the general body meeting. It is also stated that proposed budget for entire work is to the extent of 6592817/- but for approach road, more or less, 1/3rd amount would be sufficient enough. The formality of putting budgetary allocation in the general body and getting it approved would take some time.

5. Mr. N.L. Jadhav, party in person fairly submitted that the proposal by Corporation is in the interest of petitioner and he further suggests that the Corporation authorities be directed to take steps expeditiously.

6. Mr. Tope, learned Counsel for the respondent-Corporation, on instructions, submitted before us that the Corporation authorities would undertake the exercise to provide the approach road till M.I.D.C., needless to state by constructing the same, as early as possible.

7. Considering the documents submitted before us in the form of minutes of meeting and also considering the anxiety of the petitioner, we direct the municipal Corporation, Aurangabad to complete the above referred exercise expeditiously and not later than six months from the date of this order.

8. As the purpose of approaching this Court by way of Public Interest Litigation is duly and effectively served, the petition is accordingly disposed of.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]