

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4127 OF 2016

Shri. Ramesh Shravandas Rathod ...Petitioner

vs.

Karmala Municipal Council and Anr. ...Respondents

Mr. T.D. Deshmukh for petitioner.
Mr. A.I. Patel, Additional G.P.for the State.

**CORAM : B. P. DHARMADHIKARI &
SANDEEP KASHINATH SHINDE, JJ.**

DATE : 04/09/2019.

P.C.:

Perused notice sent by petitioner on 16/02/2015 to chief Officer of Karmala Nagar Parishad. Notice fixes price of land at Rs.8,88,77,413/- and demand that Municipal Council should purchase it by paying that amount and use the land for garden and library.

2. Thus, it does not satisfy requirement of Section 127(1) namely calling upon Municipal Council to acquire. Section 126 of M.R.T.P.Act, 1966 gives more than one option to

Municipal Council to acquire the land.

3. We, therefore, find prayer that reservation has lapsed within one year after service of this notice is unsustainable. With liberty to petitioner to take steps as open in law, we disposed of this petition.

(SANDEEP KASHINATH SHINDE, J.)(B. P. DHARMADHIKARI, J.)