

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 4415 OF 2016

Dilip Ramchandra Ghorapade & Ors ..Petitioners.

Vs

Kolhapur Municipal Corporation & Anr ..Respondents.

Mr. Joel Carlos, Advocate for the Petitioners.

Ms. Molina Thakur, AGP for Respondent No.2.

**CORAM : S.J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**

DATED :- 13TH NOVEMBER, 2019.

P.C. :-

1. By this Writ Petition, the petitioners seek the following
reliefs :-

(a) That this Hon'ble Court be pleased by Writ in the nature of mandamus or any other appropriate Writ direction or order be pleased to call for the records and proceedings relating to the Land bearing No. 100, 101 and 99 of Uchagaon, Taluka Karveer, District

Kolhapur and after examining the legality and validity of the reservation of Truck Terminus, No. Development Zone and Red Zone. Be pleased to direct the respondent No.1 to delete the said reservation and accordingly be pleased to direct the Respondents to notify the said deletion of Reservation in the official gazette.

(b) Pending hearing and final disposal of the Writ Petition, this Hon'ble Court be pleased to restrain the Respondents from carrying out any action of demolition or taking any coercive steps with respect to the said properties.

(c) For interim and ad-interim relief in terms of prayer clause (b) above.

(d) For such other and further reliefs as the nature and circumstances of the case may required.

2. Admittedly, the petitioners have not issued any notice to the Municipal Corporation under Section 127 of the Maharashtra Regional & Town Planning Act, 1966 (purchase notice). In view thereof, the Writ Petition is not maintainable. Accordingly, the Writ Petition is dismissed.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)