

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

PUBLIC INTEREST LITIGATION NO.129 OF 2018

Nivas Maruti Mane and others	..Petitioners
Versus	
The State of Maharashtra and others	..Respondents

Mr. Ankit Chaturvedi I/by Mr. Rahul Kulkarni, Advocate for the Petitioners.

Mr. P. P. Kakade, Govt. Pleader a/w Ms. Nisha Mehra, AGP for the Respondent No.1 - State.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 4th JULY, 2019

P.C.

1] This is a Public Interest Litigation. Request made by the learned counsel for the Petitioners for hearing to be deferred is declined for the reason; in a Public Interest Litigation once the Petitioners bring to the notice of the Court their grievance, it is for the Court to decide whether to proceed ahead with the matter.

2] It is pleaded in the Petition that after acquiring agricultural land the State Government through Maharashtra Industrial Development Corporation decided to develop the land and allot the single entity plots through tender process.

3] The first grievance is that as per policy circular dated 02.04.1997, 10% of the acquired land area has to be reserved for open

spaces and 5% for amenities.

4] Without pleading facts as to what was the extent of land acquired and how much it would translate to 10% for open spaces and 5% for amenities, it is then pleaded that the process of tendering was followed. A generic vague averment is made that the tenders were processed in a high handed manner.

5] What are the facts from which it can be inferred that there was something hanky-panky in the tendering process having been pleaded.

6] It is then pleaded that on 14.05.2007 another circular was issued framing guidelines as to when allotment could be made without following tendering process. It is then pleaded that the Petitioners raised issue of allotment of plots by changing the development plan. There is reference to a development plan annexed as Exh.G but we find no connectivity therewith to the pleadings and the grievances made.

7] As drafted the Petition is vague and sans any direction. Actionable pleadings warranting a notice to be issued are missing. Thus, we dismiss the Writ Petition.

N. M. JAMDAR, J

CHIEF JUSTICE