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

***PUBLIC INTEREST LITIGATION NO. 44 OF 2018***

Prashant Ashok Shinde

... Petitioner.

V/s.

The Chief Officer, Satara Municipal  
Council and Ors.

... Respondents.

Mr. Chaitanya Nikte a/w. Mr. Tejas Kamble for the Petitioner.  
Ms. Nisha Mehra, AGP for Respondents 2 to 5.

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

***DATE : 28 JUNE 2019.***

**P.C. :-**

Pleadings in the Public Interest Litigation would reveal that the Satara Municipal Council is owner of a parcel of land bearing Survey No.408, 408B, 409 and 410 admeasuring 56714 sq.mtrs. in village Karanje. The Collector of District Satara is charged with the duty to ensure that the Municipal Council discharges its duties and performs obligations concerning its properties.

2. As per the Petition the Council decided to develop an industrial estate for small scale and service industries on the said land and approved a layout carving out 60 plots. Council also determined the terms of the allotment and pursuant thereto leased out the plots to third parties.

3. It is pleaded that the lease was without obtaining sanction from the State Government and in particular concerning the lease rent. It is pleaded that as per Section 92 of Maharashtra Municipal Council Nagar Panchayat and Industrial Township Act, 1965, the procedure required to be followed in creating lease hold rights was not followed.

4. It is further pleaded that even lease rentals are not being collected and the enhancement contemplated by the lease agreement to the lease rentals are not being enforced.

5. Keeping in view the averments made in the Petition, we dispose of the Petition directing the Collector, District Satara to treat the Petition as a representation to him and after calling for the records from the 1<sup>st</sup> Respondent pertaining to the subject land to pass necessary orders ensuring compliance with law.

6. The necessary orders would be passed by the Collector, District Satara within six weeks of receipt of an authenticated copy

of the present decision alongwith a copy of the Petition, which shall be submitted in his office by the Petitioner. The Collector shall also ensure compliance with this decision.

**N.M. JAMDAR, J.**

**CHIEF JUSTICE**