

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3721 OF 2019

[Balmukund Rambhajan Agrawal and others .vs. State of Maharashtra and others]

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

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Shri S.V. Bhutada, Advocate for petitioners,
Shri S.Y. Deopujari, GP for respondent nos.1, 3 and 5.

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Coram : R.K. Deshpande & Vinay Joshi, JJ.

Date : 11.06.2019.

The final notification under Section 31 (1) of the Maharashtra Regional and Town Planning Act, 1966 is issued on 21.2.2019 making reservation for widening of road, park and garden in the land owned by the petitioners. The draft notification was issued on 22.2.2015. The objections were raised by the petitioners on 30.3.2015 onwards.

The petition is filed on 1.2.2019 and during the pendency of the petition final notification has been issued. The objection was that the grievance in respect of the proposal to lay high tension line from the land reserved for park and garden has not been considered.

We find that the petition suffers from delay and laches. Now, the final notification is issued during the pendency of the petition. At any rate the petitioners are to loose the land either on account of laying of high tension cables or on account of widening of road or park and garden.

The petition is dismissed.

(Vinay Joshi, J.)

(R.K. Deshpande, J.)