

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.2052 OF 2020

Rajaram s/o Namdeo Suradkar .. Petitioner

Versus

The State of Maharashtra and ors. .. Respondents

Mr G.D. Jain, Advocate for petitioner
Mr S.Y. Mahajan, Addl.G.P. for respondent-State

- WITH -

CIVIL APPLICATION ST.NO.4533 OF 2020
IN
WRIT PETITION NO.2052 OF 2020

Kaduba s/o Shamrao Wagh ..Petitioner

Versus

Rajaram s/o Namdeo Suradkar
and ors. ..Respondents

Mr D.P. Palodkar, Advocate for petitioner
Mr G.D. Jain, Advocate for respondent no.1 – original petitioner
Mr S.Y. Mahajan, A.G.P. for respondent-State

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 3.2.2020

ORAL ORDER :

1. Mr Jain, the learned Advocate for petitioner submits that the petitioner has already been granted approval of the layout for Gat No.466 to run the retail outlet. Under the impugned order, the approval is also granted for the purpose of retail outlet at Gat No.468. Minimum distance is required to be adhered to for running two retail outlets. The application for provisional approval was cancelled. According to learned Advocate, the authority ought not to have granted the approval.

2. Mr Palodkar, learned Advocate appears for intervenor and submits that sanction of layout of the applicant-intervenor is earlier in point of time than the petitioner. Even LOI has been granted prior in point of time to that of the petitioner. At present, we are not entering into the said contention. The permissions are not granted either to the petitioner or the other party to run the retail outlet.
3. In light of that, it would be premature to consider the grievance of the petitioner at this stage.
4. In case, the permissions are given, then the parties may agitate afresh. Writ Petition disposed of accordingly. No costs.
5. In view of disposal of Writ Petition, Civil Application No.4533 of 2020 stands disposed of.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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