

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

44 WRIT PETITION NO.470 OF 2018

BHIMASHANKAR RAVABA CHAKOR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Santosh S. Jadhavar
AGP for Respondents Nos. 1 and 4: Mr. S.K. Tambe
Advocate for Respondent No.2 : Mr. V.S. Bedre.
Advocate for Respondent No. 20: Mr. P.G. Tambade.

**CORAM : DIPANKAR DATTA, C.J.
& S.V. GANGAPURWALA, J.**

DATE : 16TH SEPTEMBER, 2020.

PER COURT:

- 1] Heard the learned counsel for the petitioners and the respondents.
- 2] The petitioners are assailing the order dated 25.5.2017 passed by the respondent No.2 sanctioning Layout Plan for land Survey No. 134/14 and 134/16 submitted at the behest of respondent Nos. 9 and 10.
- 3] Mr. Dixit learned counsel refers to Section 51 of the Maharashtra Regional and Town Planning Act and submits that the petitioners have an alternate remedy available. In addition, the learned counsel also submits that the petitioners do not have a locus-standi. The petitioners have also filed civil suit.
- 4] The matter would involve disputed questions of fact. It

would not be appropriate in exercise of writ jurisdiction under Article 226 of the Constitution of India to investigate into the disputed questions of fact. The petitioners may approach the Planning Authority and put forth their grievances. The Planning Authority may consider the grievance put forth by the petitioners, after hearing all parties concerned, on its own merit, expeditiously. The parties can agitate all defences available to them.

5] Writ petition is accordingly disposed of. No orders as to costs.

[S.V. GANGAPURWALA,J]

[CHIEF JUSTICE]

grt/-