

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

56 WRIT PETITION NO. 8006 OF 2021

**LAXMAN K KALE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

Advocate for Petitioners : Mrs. N.K. Parte, Mr. Prasad Helkar  
And Mr. D.M. Shide.

AGP for Respondents : Mr. P.K. Lakhotiya.

**CORAM : S.V. GANGAPURWALA &  
R.N. LADDHA, JJ.  
DATED : 26.07.2021**

**PER COURT :**

The petitioners assail the notification dated 23.06.2021, issued by the respondents thereby intending to declare land Gut No. 343 (Part) to the extent of 35 Hectares as an industrial area. The procedure is laid down under the Maharashtra Industrial Development Act, 1961 (for short 'MID Act').

2. The learned counsel for the petitioners submits that the petitioners have apprehension that the respondents may not follow the procedure as contemplated under the MID Act. The petitioners are tribal and in possession of the said land.

3. The law presumes that the authority would follow the

procedure. The petitioners have already raised an objection on 29.06.2021 to the notification.

4. No further steps are undertaken by the authorities as yet.

5. In the light of that we do not find the apprehension justified.

6. If the authorities do not follow the procedure then the petitioners may have a cause to agitate. At present, the petition would be premature.

7. In the light of above, at present, we are not inclined to entertain the petition.

8. Writ Petition is disposed of. It is made clear that we have not considered the contentions of the petitioners on merits. They are kept open. No costs.

( R.N. LADDHA, J. )

( S.V. GANGAPURWALA, J. )