

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

149 WRIT PETITION NO.8571 OF 2021
WITH CA/9253/2021 IN WP/8571/2021

PRAVEEN KEDARNATH KABRA

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Ajay G. Talhar, Advocate for the Petitioner.

Mr. A. R. Kale, AGP for Respondents-State.

Mr. Sambhaji S. Tope, Advocate for Respondent Nos.2 to 4.

...

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

DATED : 06th SEPTEMBER, 2021.

PER COURT:-

1. Mr. Talhar, learned counsel for the petitioner submits that, respondents nos.2 to 4 be directed to decide the application dated 24.10.2018 submitted by the petitioner for grant of construction permission and permission for amalgamation of the plots of Basaiye Nagar, Baijipura, Aurangabad.

2. The learned counsel for respondent nos.2 to 4 submits that, the Authority would take decision upon the said application on its own merits.

3. Mr. Palodkar, learned counsel, Mr. Joshi learned counsel and Mr. Tungar, learned counsel submit that, the writ petitioner is not the

original owner of the property. There is dispute about the ownership and possession of the plots.

4. Mr. Joshi, learned counsel submits that his litigant is also the owner of the property. The same is the stand of Mr. Palodkar, learned counsel and Mr. Tungar, learned counsel for interveners.

5. The learned counsel for the petitioner submits that, the petitioner is owner on the basis of the registered sale deed.

6. It is for respondent nos.2 to 4 to consider the grievance raised by the parties. The intervener may file their objections with the authorities within a period of 15 days from today. The respondent nos.2 to 4 shall consider the objection raised by the interveners and/or third party and after considering the say of the present petitioner, the interveners and the third party take decision upon it on its own merits as may be permissible under law within a period of six months.

7. Writ Petition is disposed of. No costs.

8. In view of disposal of the writ petition, present civil application stands disposed of.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE