

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 3657 OF 2021

Dinkar @ Deepak S/o.Indradutta Shukla,
Aged about 43 years, Occupation :
Legal Practitioner, presently working as
Councillor and Chairman, Planning and
Development Committee, Municipal
Council, Bramhapuri, District: Chandrapur.

.... **PETITIONER.**

// **VERSUS** //

1. State of Maharashtra, through its
Principal Secretary, Urban
Development Department,
Mantralaya, Mumbai-32.
2. The Divisional Commissioner,
Nagpur Division, Nagpur.
3. The Collector, Chandrapur.
4. Sub Divisional Officer, Bramhapuri.
5. Municipal Council, Bramhapuri,
through its President, District :
Chandrapur.
6. The Chief Officer, Municipal Council,
Bramhapuri, District : Chandrapur.
7. Director, Town Planning Department,
Pune.
8. Joint Director, Town Planning Department,
Nagpur Division, Nagpur.

9. Akshay Engineers, a proprietorship firm through its Proprietor Shri Sahebrao Devram Pawar, Age - Major, Occupation : Business, Resident of Devkamal, Parijat Nagar, Lokhande Mala, Jail Road, Nasik Road, Nashik – 422 101.

.... **RESPONDENTS.**

Shri Sumant Y. Deopujari, Advocate for Petitioner.
Shri N.R.Patil, A.G.P. for Respondent Nos.1 to 4, 7 & 8.

CORAM : **SUNIL B. SHUKRE AND**
 ANIL S. KILOR, JJ.

DATED : **SEPTEMBER 22, 2021**

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

1. Heard.

2. The contention of the learned counsel for the petitioner is that in view of the Government Resolution dated 25/01/2019 and Government Resolution dated 22/12/2020, the consultancy work for preparation of the Revised Development Plan should not be granted to any agency other than the one nominated under the Government Resolution dated 25/01/2019 and Government Resolution 22/12/2020

by the Director of Town Planning, State of Maharashtra, Pune and in the present case, flouting the instructions contained in the Government Resolutions, the respondent Nos.5 and 6 have decided to allot the same work to respondent No.9 to the agency not contemplated under the aforesaid Government Resolutions and that a representation raising this grievance by the petitioner made to the respondent No.3 on 12/06/2021 is still not decided by the respondent No.3.

3. In view of the issue involved in this petition, we do not think it fit to issue notice to respondent Nos. 5, 6 and 9, as the issue can be decided on a narrow compass by issuing necessary directions to respondent No.3. Accordingly, we have heard the learned counsel for the petitioner and the learned A.G.P who appears for respondent Nos. 1 to 4, 7 and 8 by waiving notice.

4. **RULE.** Rule made returnable forthwith.

5. Heard finally by consent of the learned counsel appearing for the parties.

6. Respondent No.3-Collector, Chandrapur is directed to decide the representation of the petitioner dated 12/06/2021, in accordance

with law, within a period of two weeks from the date of the order.

Rule accordingly. No costs.

(ANIL S. KILOR, J)

(SUNIL B. SHUKRE, J.)

RRaut..