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

905 WRIT PETITION NO.5220 OF 2021

GAFAURULLA MAZHERULLHA HASHMI & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

....

Mr G. L. Deshpande, Advocate for petitioners;
Mr P. K. Lakhotiya, A.G.P. for respondent Nos.1 & 2
Mr Yaseen Sayyed Tauseef, Advocate for respondent No.4

**CORAM : RAVINDRA V. GHUGE
AND
S. G. DIGE, JJ.**

DATE : 26th April, 2022

PER COURT:

1. By this petition, the petitioners (petitioner No.1 is a practicing Advocate) have put forth prayer clauses (B), (C) and (D), as under :-

“B. By issuing appropriate writ, order or directions in the nature of appropriate writ, the impugned notification bearing no. MUM-2018/C.R.357/UD-17 dated 29/12/2020 issued by respondents no.1 for the expansion of limits of Municipal area of AUSA Municipal Council may kindly be quashed and set aside.

C. It be declared that the impugned notification bearing no. MUM-2018/C.R.357/UD-17 dated 29/12/2020 is not issued by following the mandatory procedure laid down under section 3(3) r/w section 6

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of Maharashtra Municipal Council Nagar Panchayat and Industrial Township Act 1965.

D. Respondents may kindly be directed to re-issue the notification by following due procedure established by law.”

2. There is no dispute that, before extending the limits of the Municipal area of the AUSA Municipal Council, the petitioners had neither raised any objection nor had they approached the authorities or the superior authorities. The petitioners are not aware as to whether a public notice was published in any newspaper and whether the objections were called for. Admittedly, they are not one of the objectors and at the time of filing of the petition, petitioner No.1 has noticed that there were certain objectors, whose objections were considered and thereafter, the municipal limits were crystallized.

3. The learned Advocate representing respondent No.3 - Municipal Council, AUSA, submits that objections were called for by publishing the notice in a daily newspaper 'Bhukamp', which is printed every evening and has a wide circulation in Latur. The District Collector had published the proclamation in the said newspaper and the objectors, who came forward, were heard and their objections were considered.

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4. At this juncture, the learned Advocate for the petitioners submits on instructions, that the petitioners desire to withdraw this petition.

5. As such, this petition is disposed off, as withdrawn

(S. G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)

sjk