

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

**CONTEMPT PETITION NO.221 OF 2022
IN
WRIT PETITION NO.1732 OF 2018**

**SITARAM RAGHO PATIL
VERSUS
PRASHANT THOMBRE, CHIEF OFFICER, CHALISGAON.**

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Shri R.D.Biradar, Advocate for the petitioner.
Shri D.B.Thoke, Advocate for respondent No.1.
Shri S.G. Sangle, AGP for respondent Nos.2 to 6/State.

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**CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.**

DATE :- 11th August, 2022

Per Court :-

1. We have taken this matter on the production board since this matter was to be listed today vide order dated 28.06.2022. The Chief Officer, Municipal Council, Chalisgaon, is present in the Court.

2. It is admitted by the Municipal Council that within one year granted by this Court, the Municipal Council has not initiated any step to acquire the writ property and it is a forgone conclusion that the Municipal Council does not require the said property.

3. In this backdrop, after 10.07.2019, the Municipal Council, which is also the planning authority, should have sent necessary communication to the appropriate authority/State Government to enable the State Government to issue a notification under Section 127(2) of the MRTP Act. Having not so done, it is apparent that respondent No.1 can be said to have failed in complying with the directions of this Court, in view of the fact that he has taken charge in September, 2021.

4. Respondent No.1 submits that necessary papers would be processed and it would be ensured that the same would reach the Principal Secretary, Urban Development Department, Maharashtra State, Mantralaya, Mumbai, within one month.

5. In view of the above, we are recording the statement of respondent No.1 that necessary papers would be transmitted to reach respondent No.2, on or before 15.09.2022. Thereafter, respondent No.2 shall issue the requisite notification under Section 127(2) of the MRTP Act, on or before 15.10.2022.

6. This Contempt Petition is disposed off.