

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

WRIT PETITION NO.7377 OF 2022

**BHAGWAN RAMRAO WAGH
VERSUS
THE STATE OF MAHARASHTRA THROUGH REGIONAL
OFFICER AND OTHERS**

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Advocate for the Petitioner : Shri Chate Govind Bhagwan
AGP for the Respondents/State : Shri S.K. Tambe
Advocate for Respondent 3 : Shri G.S. Khaire h/f Shri S.S.
Dande

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 10th October, 2022

Per Court :-

1. The petitioner prays that the agreement to lease dated 16.06.1982 signed between the petitioner and the Maharashtra Industrial Development Corporation (MIDC), be continued. He challenges the communication dated 17.11.2009 and the panchnama for taking over physical possession of the plot, dated 22.06.2015, by preferring this petition filed on 29.04.2022.

2. The petitioner concedes that the plot allotted to him 1982 was an industrial plot and the allotment was for industrial

development. It is conceded that in the last 40 years, the plot was not developed as the petitioner did not have the resources. It is undisputed that the petitioner is a proprietor of an industry in the Jalna MIDC area. The plot allotted to him was in the Paithan MIDC area.

3. It is well settled that an individual cannot keep the government property idle on the pretext of developing it, for decades together. No development has taken place for the last 40 years. Physical possession has already been taken over by the MIDC in 2015.

4. In view of the above, we do not find that this petition deserves to be entertained. The same is, therefore, dismissed.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)