

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

WRIT PETITION NO. 8565 OF 2022

Suprabha Cooperative Housing
Society Ltd. and othersPetitioners

Versus

The State of Maharashtra and othersRespondents

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AND

WRIT PETITION NO. 8069 OF 2022

M/s Jayesh Infrastructure Registered
Partnership FirmPetitioner

Versus

The State of Maharashtra and othersRespondents

...

AND

WRIT PETITION NO. 8398 OF 2022

M/s Sakshi Heights Pvt. Ltd.Petitioner

Versus

The State of Maharashtra and othersRespondents

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Mr. D.P. Palodkar, Advocate for the petitioners.

Mr. A.R. Kale, AGP for the respondent/State.

Mr. M.S. Shaikh h/f. Mr. Sachin S. Deshmukh, Advocate for
CIDCO.

Mr. S.B. Deshpande, Advocate for respondent Aurangabad
Municipal Corporation.

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

DATED : AUGUST 23, 2022.

PER COURT :

1. Connected Writ Petition Nos. 8069, 8398 and 8565 of 2022 are not on today's board. The learned advocate for the petitioner, who has preferred these identical matters, prays for taking these matters on board. The contesting party is the only State Government.
2. Since Shri S.B. Deshpande, the learned advocate is on the panel of Aurangabad Municipal Corporation (AMC). We requested Shri Deshpande to cause his appearance for the AMC and assist the Court.
3. Mr. Palodkar, learned counsel submits that the State Government has not yet taken decision regarding the modification under section 31(2) of the MRTP Act though the time stipulated in the provisions of the Act expired long back.
4. According to the learned counsel, in the year 2013 the draft development plan was published and final development plan was published on 8.11.2017 and on the same day the substantial modification was republished. Suggestions and objections were invited. The officer appointed considered the suggestions and objections and after hearing the parties concerned submitted report to the Government under section 31 (2) of the MRTP Act on 18.1.2019. The decision is required to be taken by the Government

as per the second proviso of section 31 (2) of the MRTP Act within one year. The decision is not yet taken. The outer limit to take decision on the modification expired on 18.1.2020.

5. The State Government shall take decision upon the report submitted by the officer appointed and the modification (subject matter of the petitions) within three months.

6. With these observations, the writ petitions are disposed of. No costs.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/