

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO.432 OF 2017
IN WP/1166/2017

SOMNATH GANGADHAR BOMBLE
VERSUS
D M MUGLIKAR AND OTHERS

Mr.S.S.Thombre, Advocate for the petitioner.
Mr.J.R.Shah, Advocate for respondent No.2.

(CORAM : RAVINDRA V. GHUGE AND
ANIL L. PANSARE, JJ.)

DATE : JUNE 24, 2022

PER COURT :

1. The learned Advocate representing respondent No.2, has placed two documents before us. One is an internal communication from the Assistant Town Planner, Municipal Corporation, Aurangabad addressed to the City Survey Officer, Aurangabad. The same is marked as “X-1” for identification. He has then tendered another communication purportedly issued by the Assistant Town Planner, Municipal Corporation, Aurangabad dated 18.10.2014 addressed to the petitioner, setting out therein that there appears to be some dispute as regards the title of the land and, hence, the request of the petitioner for TDR cannot

be entertained. The said document is marked as "X-2" for identification.

2. The learned Advocate for the petitioner submits that neither "X-1" nor "X-2" were ever served upon the petitioner. The Corporation does not have an acknowledgment of the petitioner. He, therefore, desires to challenge these decisions, especially "X-2". He, therefore, submits that this contempt petition may be disposed off with liberty to the petitioner to challenge the said decisions.

3. In view of the above, this petition is disposed off with liberty to the petitioner to avail of a remedy as is permissible in Law. The time spent by the petitioner in this Court from 11.07.2017 till the passing of this order, shall be considered as a good ground for condonation of delay. All the contentions of the parties are kept open.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)