

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

WRIT PETITION NO.10406 OF 2022

**HEMANT BHAGWAT KOLHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS**

...

Advocate for the Petitioners : Shri Syed Azizoddin R.

AGP for the Respondents/State : Shri S.K. Tambe

Advocate for Respondent 4 : Shri V.D. Gunale

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

DATE :- 17th October, 2022

Per Court :-

1. Heard the learned advocates for the respective sides.
2. Admittedly, the notice under Section 127 of the MRTP Act, 1966, has been issued by the petitioners, which was received by the respondents on 20.10.2014. Admittedly, nothing was done thereafter for a period of almost three years. On 08.04.2017, the acquiring body/the Jalgaon City Municipal Corporation forwarded the proposal to the Deputy Collector (Land Acquisition), Jalgaon. Even thereafter, nothing moved.
3. When called upon, the learned advocate for the

Municipal Corporation submits that at least three months time be granted for forwarding the proposal to the Government in order to enable the Government to issue a notification under Section 127(2) for lapsing of the reservation.

4. The learned advocate for the petitioners submits that three months time is a long period.

5. In view of the above, this Writ Petition is disposed off.

6. The Municipal Corporation, Jalgaon, shall forward the proposal of the petitioners for issuance of the notification under Section 127(2) of the MRTP Act, 1966, to the appropriate Government, on or before 30.11.2022. Thereafter, we expect the Government to initiate steps and issue a notification under Section 127(2), on or before 15.02.2023.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)