

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

WRIT PETITION NO.3873 OF 2022

Manish Shyamsunder Bharde
VERSUS
The State Of Maharashtra And Others

**AND
WRIT PETITION NO.4440 OF 2022**

Harish Shyamsunder Bharde And Others
VERSUS
The State Of Maharashtra And Others

**AND
WRIT PETITION NO.4297 OF 2022**

Mukund Prabhakar Kulkarni
VERSUS
The State Of Maharashtra And Others

**AND
WRIT PETITION NO.4289 OF 2022**

Ramesh Dattatray Bharde And Another
VERSUS
The State Of Maharashtra And Others

Mr.Nagarkar Kiran M., Advocate for the Petitioners.
Mr.S.B.Yawalkar, A.G.P. for the Respondent/State Authorities.
Shri A.D. Aghav, Advocate for Respondent 5 in WP/4297.
Ms.Snehal S. Jadhav i/by Shri Sujit S. Jadhav, Advocate for
Respondent 5 in WP 3873, 4440 and 4289.

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**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 05th July, 2023

Per Court :-

1. In all these matters, admittedly, more than ten years have lapsed from the declaration of reservation in the light of the Development Plan dated 01.11.2002. There was modification of the earlier reservation on 14.01.2003 under Section 37(2) of the Maharashtra Regional and Town Planning Act, 1966. It is equally undisputed that all these Petitioners have tendered the purchase notice under Section 127 of the MRTP Act, 1966.

2. The learned Advocate for the Municipal Council submits, on the basis of the record, that no further steps were taken for a period of 24 months after the purchase notices were received. He tenders before us a compilation of documents (07 pages) with the covering letter (undated) signed by the Assistant Director, Town Planning, the Architect, Kopergaon, and the Administrator/ Sub Divisional Officer, Shevgaon, which was received by the Administrator of the Shevgaon Municipal

Council on 26.06.2023. The said compilation is collectively marked as “X” for identification.

3. The learned Advocate for the Municipal Council further submits that the document X is the communication to the Competent Authority indicating that the reserved land is no longer required by the Municipal Council and the same can be de-reserved.

4. Considering the above and in the light of the purchase notices under Section 127, **all these Writ Petitions are partly allowed.** We direct Respondent No.1 to issue the notification under Section 127(2) of the MRTP Act, 1966, within 45 (forty five) days from today.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)