

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 WRIT PETITION NO.4680 OF 2021

GOPAL KASHINATH LAD KELE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Shah Subodh P.
AGP for the respondent – State : Mrs. M.A. Deshpande
Advocate for the respondent no. 3 : Mr. N.N. Desale
...

**CORAM : MANGESH S. PATIL &
S. G. CHAPALGAONKAR, JJ.**

DATE : 27 FEBRUARY 2023

PC :

We have heard both the sides.

2. The petitioner is aggrieved by the rejection of his purchase notice issued by him under section 49(1) of the Maharashtra Regional and Town Planning Act, 1966 by the impugned communication.

3. Both the sides are unanimous that the same authority in respect of the petitioner's another land has passed a similar order rejecting his purchase notice, he had filed writ petition no. 4661 of 2021 which was decided by this Court on 01-07-2022 inter alia pointing out as to how the selfsame grounds for rejection of the purchase notice were not sustainable in law and directed the respondent no. 1 to take a fresh decision on that purchase notice.

4. For the same reasons, we allow the writ petition partly, quash and set aside the impugned communication dated 24-12-2020 rejecting the purchase notice and direct the respondent no. 1 to take a decision afresh as expeditiously as possible and in any case within six weeks.

[S. G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE

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