

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

**WRIT PETITION NO.3492 OF 2023**

**PRANJAN MAHESH BASER AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER**

...  
Advocate for Petitioners : Mr. Kshirsagar Gajanan K.  
AGP for Respondents/State: Mr. S. G. Sangle  
...

**CORAM : NITIN W. SAMBRE &  
S. G. CHAPALGAONKAR, JJ.**

**DATE : 28.03.2023**

**PER COURT :**

1. In view of illegal construction in the margin of the plot carried out by the petitioners, notice under Section 53(1) of the Maharashtra Regional Town Planning Act, 1966 is issued.
2. The contention of the petitioners is that the notice period should have been one month and not 15 days as has been mentioned in the impugned notice.
3. The fact remains that the notice in question is issued on 15<sup>th</sup> March, 2023.
4. It was open for the petitioner to give an explanation to the same. We are unable to locate any convincing explanation in the ground raised in the petition but for the notice period.
5. In view of above, we refrain ourselves from causing indulgence thereby exercising discretionary relief in favour of the petitioners. The petition stands disposed of.

**(S. G. CHAPALGAONKAR, J.)**

**(NITIN W. SAMBRE, J.)**