

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1647 OF 2021**

**PRATIBHA HANUMANT PADWAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. Sanjay A. Wakure, Advocate for the Petitioner.
Mr. P. K. Lakhotiya, AGP for Respondents-State.
Mr. V. B. Deshmukh, Advocate for Respondent No.5.

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**CORAM : NITIN W. SAMBRE AND
S. G. CHAPALGAONKAR, JJ.
DATE : 27th APRIL, 2023.**

P.C:-

1. The admitted fact on record is, the revised development plan of respondent no.5-Municipal Council was brought into effect from May 15, 2012. As such, the notice under Section 127 of the Maharashtra Regional and Town Planning Act, 1966 issued by the petitioner appears to be premature.

2. In the aforesaid facts and circumstances of the case, liberty is granted to the petitioner for issuing fresh purchase notice to respondent no.5-Municipal Council. Once such notice is served on respondent no.5-Municipal Council, we direct the Chief Officer of respondent no.5-Municipal Council to take decision on the same within a period of three months from the date of receipt of the same.

3. Writ Petition accordingly stands disposed of.

**(S. G. CHAPALGAONKAR)
JUDGE**

**(NITIN W. SAMBRE)
JUDGE**