

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

**CONTEMPT PETITION NO. 622 OF 2022
IN
WRIT PETITION NO. 1085 OF 2017**

Hitendra Shankar Patil and Another ..PETITIONERS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

....
Mr. M.S. Kulkarni, Advocate for petitioners
Mr. A.R. Kale, A.P.P. for respondent - State
....

**CORAM : SMT. ANUJA PRABHUDESSAI AND
R.M. JOSHI, JJ.**

DATE : 07th FEBRUARY, 2023

PER COURT :

1. The petitioners herein have alleged breach of directions contained in order dated 16th December, 2020 in Writ Petition No. 1085 of 2017.

2. By the said order, this Court had declared that reservation of land to the extent of 589.62 sq. mts. And 1603.75 sq. mts. forming part of the land in Gut No.275/1 and 275/3A situated at Pimparala Shivar, Jalgaon stands lapsed. The petitioners were directed not to perform any development activity on the said land for a period of one year and the Corporation was given an opportunity to acquire the said land in accordance with law. It was observed that in case of failure on the part of the Corporation to acquire the

said land within a period of one year from 01.01.2021, the land would be available to the petitioners for purpose of development as otherwise permissible in the case of adjacent land under the relevant plan and the Respondent No.1 was directed to notify the lapsing of reservation by an order published in the official gazette.

3. It is stated that the Corporation has not acquired the land and has not even submitted proposal for acquisition the same till date. However, a proposal for notifying lapsing of reservation was sent by the Corporation on 19th October, 2022.

4. Learned A.G.P., on instructions, states that lapsing of reservation shall be notified by an order published in the official gazette within four weeks from the date of this order.

5. The above statement is accepted. In light of the said statement, contempt petition stands disposed of.

(R.M. JOSHI, J.)

SSD

(SMT. ANUJA PRABHUDESSAI, J.)