

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

908 WRIT PETITION NO.14011 OF 2023

**BALASAHEB SAYAJI SATHE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

...

Advocate for Petitioner : Mr. V. P. Latange
AGP for Respondents State: Mr. A. V. Deshmukh
Advocate for Respondents- MIDC : Mr. S.S. Dande

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

DATE : 9th November, 2023

ORDER:

1. The Petitioner has put forth prayer clauses (B), (C) and (D) as under:

(A) This Hon'ble Court by issuing appropriate Writ, order or directions in like nature be pleased to direct the Respondent authorities to regularize the Plot No. N-5/1 situated at MIDC Area Nagapur, Ahmednagar.

(B) This Hon'ble Court by issuing appropriate Writ, order or directions in like nature be pleased to direct the Respondent authorities to decide the representation submitted by the present petitioner in view of the order passed by this Hon'ble High Court in Review Application No.171/2016 and 172/2016 dated 20.09.2016.

(D) Pending hearing and final disposal of this Writ petition the Hon'ble Court may be pleased to direct the Respondent authorities to not to take any coercive action in pursuance of notice dated 26.09.2018 issued by Respondent No. 3 regarding cancellation of allotment of Plot No. N-5/1 situated at MIDC Nagapur, Ahmednagar.

2. The Petitioner has already been served with a notice dated 26.09.2018 and the reply has been tendered by him on 04.10.2018. The MIDC is yet to take a decision on the representation.

3. Shri Dande, the learned Advocate for the MIDC submits that this Court has delivered a judgment on 14.06.2016 in PIL No.68 of 2023 which was followed by an order dated 20.09.2016 in Review Application Nos. 171/2016 and 172 of 2016. Considering the provisions applicable and the orders passed by this Court, the reply of the Petitioner would be considered and the decision on the show cause notice would be arrived at within the time frame as may be directed by this Court.

4. In view of the above statement, **this Petition is disposed off.**

5. Let the MIDC deal with the reply of the Petitioner in the light of the show cause notice, the reply and the above referred orders as well as the provisions applicable, within 90 days from today and pass a reasoned order.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan