



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15096 OF 2023

SHAIKH HAMEED PEER MOHAMMAD

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND ANOTHER

.....Respondents

Mr. T. Y. Syed h/for Mohd Aseem Mohd Abdul Kaleem, Advocate for
Petitioner

Mr. A. B. Girase,

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

DATE : 12th December, 2023

ORDER:

1. The Petitioner prays that his pending Appeal dated 27.05.2022 filed under Section 47 of the Maharashtra Regional and Town Planning Act, 1966 be considered for an early decision.
2. The learned Government Pleader points out that though the Appeal has been filed, it is beyond the period of limitation. An application for condonation of delay will have to be filed by the Petitioner and after considering the said application, if the delay is condoned, the Appeal can be taken up for a decision on its merits.
3. The learned Advocate for the Petitioner submits on instructions that the Petitioner would file an application for condonation of delay and would proceed with the matter.

4. In view of the above, **this Petition is disposed off** with the observation that the Petitioner may file an application for condonation of delay with Respondent No.1 within four weeks from today. Thereafter, by following the due procedure laid down in law, the application for condonation of delay would be considered. If the delay is condoned, the authorities would consider the pending appeal, expeditiously and by giving reasonable opportunity of hearing to all the stakeholders, preferably within 120 days.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan