

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 151 OF 2022**

**Owala Gavthan Gramshtan
Sangharsh Samittee**

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. R. N. Kachave for petitioner.

Mr. P. P. Kakade, Govt. Pleader with Mr. B. V. Samant, AGP for respondent nos.1 and 2.

Mr. Ajit R. Pitale for respondent nos.3 and 5.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: MARCH 3, 2023

P.C.:

- 1.** The petitioner is challenging the resolution of the Corporation extending the width of the road.
- 2.** It appears that the resolution is passed by the Corporation for minor modifications under Section 37(2) of the Maharashtra Regional Town Planning Act, 1966 (hereafter "the Act of 1966", for short) and for grant of final sanction, the same is to be forwarded to the State Government. The petitioner may raise objections before the State Government as may be permissible under law. It does not appear that final notification has been issued by the State Government sanctioning the minor modifications referred under Section 37(2) of the Act of 1966.
- 3.** The petitioner is at liberty to raise objections if the draft notification is issued by the Government and if final notification is issued, petitioner may take further steps accordingly.
- 4.** With these observations, PIL petition stands disposed of. No costs.

PRAVIN
DASHARATH
PANDIT

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PANDIT
Date: 2023.03.04
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(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)