

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2133 OF 2022

(Yashwant Education Society, thr. its President Manohar Bhaurao Sawale Vs. The Municipal Council, Nandgaon Khandeshwar, thr. its Chief Officer, Dist. Amravati and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. S. M. Vaishnav, Advocate for Petitioner.
Mr. N. S. Bhelkar, Advocate for Respondent 1.

CORAM: ROHIT B. DEO AND Y. G. KHOBRAGADE, JJ.

DATE: 8th FEBRUARY, 2023.

Praeipce dated 30.01.2023 filed on behalf of the petitioner – institution is taken on record.

2. We permit the petitioner society to handover the possession of the open plot to the Planning Authority on 05.05.2023 as is undertaken in the praecipe.

3. It is not in dispute that there is a common well dug in the plot to which the residents of Paraskar Layout are entitled to access and user. Mr. Vaishnav assures that access to the residents of the layout to the public well shall not be hindered. The statement is accepted.

4. We dispose of the petition by accepting the statements in the praecipe dated 30.01.2023 as undertaking to the Court, and we further grant liberty to the petitioner –

institution, after handing over the plot, to submit an application for allotment to the Planning Authority, which shall be considered on its own merit and in accordance with law, if necessary after issuing public notice inviting objections from the residents of the layout.

5. The petition is disposed of in the aforestated terms.

(Y. G. KHOBRAGADE, J.)

(ROHIT B. DEO, J.)

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