



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

PUBLIC INTEREST LITIGATION NO.47 OF 2023

Akshay Devanand Nawalkar, Ranpise Nagar, Akola and ors.

-VS-

State of Maharashtra, Thr. Secretary, Revenue Dept. Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Deshpande, Advocate for petitioners.

Shri A. A. Madiwale, Assistant Government Pleader for respondent Nos.1, 3 and 6.

CORAM : A. S. CHANDURKAR AND MRS VRUSHALI V. JOSHI, JJ.

DATE : August 23, 2023

1. The petitioner Nos.3 to 9 who are the residents of layout bearing old Survey Nos.5, 15 and 16, village Umarkhed, Taluka and District Akola seek to raise a concern with regard to misuse of the open space in the layout for the use other than what is reserved for. It is submitted that an enquiry has to be made with regard to the actual availability of open space in the said layout.

2. Issue notice to the respondents, returnable on 06/09/2023. The learned Learned Assistant Government Pleader waives notice for respondent Nos.1 to 4 and 6. Service on other respondents by all modes is permitted.

Civil Application (CAO) No.1062/2023

3. Since the petitioners seek to raise additional grounds for challenge, the amendment is allowed. Same be carried out accordingly.

4. Civil Application is disposed of.

(Mrs Vrushali V. Joshi, J.)

(A. S. Chandurkar, J.)