



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

937 CIVIL APPLICATION NO. 1596 OF 2024
IN WP/10566/2022

Gangadhar Linganna Mierdode & anotherApplicants

VERSUS

The State of Maharashtra & OthersRespondents

Mr. S. A. Deshmukh, Advocate for Applicant.

Mr. S. B. Narwade, AGP for Respondent Nos. 1 to 5.

Mr. S. S. Patunkar, Advocate for Respondent No. 6 in Writ Petition.

WITH
WRIT PETITION NO. 10566 OF 2022

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 23rd FEBRUARY, 2024.

PER COURT :

1. The learned Advocate representing the Municipal Council submits that after receipt of the purchase notice from the Petitioner, a resolution has been passed on 02nd September, 2020, declaring that the Municipal Council does not desire to utilise the land of the Petitioner. An affidavit-in-reply has also been filed by the Municipal Council.

2. The learned Advocate for the Municipal Council clarifies that the land of the Petitioner was to be utilised for construction of a

stadium. Since the State Government has taken a decision to build the stadium else where, the Municipal Council passed a resolution releasing the land of the Petitioner from reservation.

3. In view of the above, the petition stands worked out. We direct the Municipal Council to issue a letter to Respondent No. 1, within 30 days from today, declaring that the said land is not required for the purpose for which it was placed in the development plan. After Respondent No. 1 receives the communication from the Municipal Council, a notification under Section 127(2) of the MRTP Act shall be issued within a period of 60 days.

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

5. **Civil Application stands disposed off.**

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

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