



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1070 WRIT PETITION NO. 9563 OF 2023

SHIVNATH PRABHAKAR SHINDE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS

AND

1071 WRIT PETITION NO. 9602 OF 2023

AMARCHAND KONDIRAM BHANDARI DECEASED
THROUGH LRS SANJAY AMARCHAND BHANDARI
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS

AND

1072 WRIT PETITION NO. 9618 OF 2023

ANSHABAPU HIRAJI GORE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS

AND

1073 WRIT PETITION NO. 9704 OF 2023

BABULAL IBRAHIM PATHAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS

AND

1092 WRIT PETITION NO. 12772 OF 2023

SUBHASH MOTILAL MUNOT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

THROUGH THE PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 7109 OF 2023

SHAKUNTALA LALCHAND BHANDARI

VERSUS

THE STATE OF MAHARASHTRA

THROUGH THE PRINCIPAL SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. More Abhijit S.

AGP for Respondents/State : S/Shri P.K. Lakhotiya and S.B. Narwade

Advocate for R/3 : Mr. P.N. Khedkar

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

DATE : 9th January, 2024

PC. :-

1. Writ Petition No.7109 of 2023 is not on board. Taken on board by consent of the parties.

2. All these Petitioners are identically placed. Our first order indicates the cause of action. We are informed by the learned advocates for the respective sides that in identical set of circumstances concerning the same development plan, this Court (**Coram: Nitin W. Sambre & S.G. Chapalgaonkar, JJ.**) has delivered a judgment dated 28.04.2023 in **Goraknath s/o. Kashinath Gore V/s. State of Maharashtra and Others (Writ Petition No.12031/2022)**. We are also informed that the Municipal Council has resolved vide a general

body resolution dated 10.03.2021, not to acquire the land of the Petitioners for want of funds.

3. In view of the detailed judgment dated 28.04.2023 and considering reasons set out therein, **these Writ Petitions are allowed.** It is declared that development plan reservation of the Writ lands within the limits of Shrigonda Municipal Council from the reservations site / survey nos.620, 579, 581, 1136, 1137, 1138, 582, 2404 and 2044, that are earmarked for library / shopping centres (chart re-produced hereunder), shall stand lapsed. The Respondent No.1 is directed to issue a necessary notification in terms of Section 127 (2) of the M.R.T.P. Act for notifying the release of the above mentioned lands within a period of six months.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]