



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13298 OF 2024

KISHANRAO JETHUJI HALDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Wasif S. Shaikh and
Mr. Kashyam A. Shinde
AGP for Respondents: Mr. S.R. Wakale
...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 12.12.2024

PER COURT:

The petitioners are aggrieved by the fact that in spite of the fact that this Court having declared the reservation on their property to have lapsed, no steps are being taken by the respondents for complying with Sub-Section 2 of Section 127 of the Maharashtra Regional and Town Planning Act, 1966 (the MRTP Act).

2. Considering the fact that by virtue of Sub-Section 2 of Section 127 of the MRTP Act, it is the obligation of the State to publish a notification in the Official Gazette, according to us, even notice to the Planning Authority is not necessary.

3. We allow the writ petition and direct the respondent No.1 -

State to take immediate steps for complying with mandate of law as provided in Section 127 (2) of the MRTP Act in view of declaration of this Court in Writ Petition No.8502/2015 dated 09.06.2016 about the reservation on the petitioner's property having lapsed under Section 127 of the MRTP Act.

4. The compliance shall be made, as expeditiously as possible, and in any case within six weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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