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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO. 13345 OF 2022

MOTICHAND HUKUMCHAND BUNDELKHANDI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.G.L.Gujar, Advocate for the Petitioners.
Mr.V.M.Kagne, AGP for Respondent Nos. 1 to 3.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : SEPTEMBER 12, 2024

PER COURT :

1. None present for the Municipal Council.
2. Petitioner No.1 is 88 years old and Petitioner No.2 is 78 years old.
3. This is a second round of litigation for the Petitioners. Earlier they had filed WP No.12746/2016. By order dated 31.10.2018, the land was released from reservation and a notification u/s 127(2) was directed to be issued for inviting the lapsing of reservation. The

learned AGP submits that the Municipal Council has not forwarded the proposal for issuance of the notification u/s 127(2).

4. In view of the above and considering the earlier order of this Court dated 31.10.2018, we direct the Chief Officer of Respondent No.4 / Municipal Council to submit the proposal of Respondent No.1 within 30 days from today, failing which, the conduct of the Chief Officer would be construed as being an act of disobedience of the order of this Court.

5. Thereafter, Respondent No.2 shall issue a notification u/s 127(2) of the MRTP Act, within 45 days thereafter. If the Code of Conduct is introduced, the same would not be an impediment for the due compliance of this order.

5. With the above directions, **this Petition is disposed off.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)