



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

928 WRIT PETITION NO. 14878 OF 2023

Vaishali Yogesh Pagariya

VERSUS

**The State Of Maharashtra Through Its Principal Secretary And
Others**

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Advocate for the Petitioner : Mr. S.V. Salve

AGP for Respondents: Mr. S.B.Narwade

Advocate for Respondent no.7 : Mr. S.S. Dande

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**CORAM : RAVINDRA V. GHUGE AND
S. G. CHAPALGAONKAR, JJ.**

Dated : February 14, 2024

PER COURT :-

1. The Petitioner has put forth prayer clauses 'B and D' as under :-

“B. By appropriate writ, order or direction of like nature the impugned order MMC Meeting dated 26.10.2023 in which the open space no.3 land situated in MIDC area, Jalgaon allotted to Respondent nos.8 and 9 the admeasuring area 20000 sq. Meter and 4000 sq. Meter by the respondent no.3 MMC head allotment may kindly be cancelled.

C. By appropriate writ, order or direction of like nature, the further process of open space allotment of open space no.3 land situated in MIDC Area, Jalgaon may be stayed.”

2. We have heard the learned advocate for the Petitioner and learned Advocate for the MIDC. The Petitioner does not have a vested right for seeking a choice open space plot and that too by

canceling an allotment to an industry, which is starting an E.V. station. The Petitioner desires to start a food processing industry. The Petitioner contends that, she has a recommendation by the Sarchitnis / BJP leader and hence, a plot be allotted to her.

3. We do not find that our Writ jurisdiction should be exercised in such circumstances. Unless the Petitioner has a vested right which can be enforced, we have no reason to cause indulgence.

4. **This Petition is, therefore, dismissed.**

(S. G. CHAPALGAONKAR, J.)

(RAVINDRA V. GHUGE, J.)

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aaa/-f