



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO. 1666 OF 2019

DIGVIJAYSINGH GANESHSING BAYAS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND
WRIT PETITION NO. 178 OF 2020

DIGVIJAYSINGH GANESHSING BAYAS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS...

Mr. D. L. Khivesara, Advocate for the Petitioner
Mr. S. K. Tambe, AGP for the Respondents State
Mr. S. S. Dande, Advocate for Respondent Nos. 2 to 6

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

DATE : 2nd February, 2024

ORDER:

1. We had passed an order on 28.06.2023. The said order would indicate that this Court showed indulgence in the matter and called upon the M.I.D.C. to consider, whether there was any plot available, and put up a proposal by which neither the MIDC would be put to loss, nor the Petitioner would be deprived of an opportunity of acquiring a plot, on the conditions as may be suggested. The Petitioner agreed to be bound by the conditions and, therefore, we passed an order in terms of Paragraph 11, which reads as under:

"11. In the meanwhile, the M.I.D.C. would consider as to whether there is any plot available and would also come up with any

proposal which would ensure that M.I.D.C. is not put to any loss and at the same time, the Petitioner gets an opportunity of acquiring a plot. Needless to state, the terms of development as suggested by M.I.D.C. will be binding on the Petitioner."

2. The learned Advocate for the M.I.D.C. has placed on record a communication dated 13.12.2023 addressed to the Petitioner and a further communication dated 12.12.2023 addressed to the learned Advocate. Both are taken on record and are collectively marked as 'X' for identification.

3. The communication to the Petitioner indicates that a large plot is being allotted to him by way of an exchange to the earlier allotted plot which he did not want to accept. A clear demarcated plot without any deformities is being offered to him. The conditions which are imposed as per our order dated 28.06.2023 would be applicable to the Petitioner. The Petitioner is satisfied.

4. Hence, **both these Petitions are disposed off** in view of the Communication 'X' addressed to the Petitioner.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan