



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

923 WRIT PETITION NO. 6187 OF 2024

**SUSHILA DILIPRAO GONDKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
DEPARTMENT OF URBAN DEVELOPMENT AND OTHERS**

AND

924 WRIT PETITION NO. 6188 OF 2024

**DEELIP AMRUTRAO GONDKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
DEPARTMENT FO URBAN DEVELOPMENT AND OTHERS**

AND

934 WRIT PETITION NO. 6205 OF 2024

**SATYAJEET DILIPRAO GONDKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH DEPARTMENT OF URBAN DEVELOPMENT AND OTHERS**

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Advocate for the Petitioner/s : Mr. Palodkar Devdatt P.
GP for Respondents: Mr. A.B. Girase

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

DATE : 27th June, 2024

PG. :-

1. Mr. Palodkar, the learned Advocate submits that the State Government has not yet taken a decision regarding the modification under

Section 31(2) of the MRTP Act, though the time stipulated in the provisions of the Act expired long back.

2. According to the learned Advocate, in the year 2017, the draft development plan was published and the final development plan was published on 11.09.2019 and on the same day a substantial modification was re-published. Suggestions and objections were invited. The appointed officer considered the suggestions and objections and after hearing the parties concerned, submitted the report to the Government under Section 31 (2) of the MRTP Act, on 11.02.2020. The decision is required to be taken by the Government as per the second proviso to Section 31(2) of the MRTP Act, within one year. The decision is not yet taken. The outer limit to take a decision on the modification expired on 11.02.2021.

3. We, therefore, direct that the State Government shall take a decision upon the report submitted by the officer appointed and the modification (subject matter of these Petitions), within three months.

4. With these directions, **the Writ Petitions are disposed off.** No costs.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]