

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 18001 OF 2024**

Dilip Hanmantrao Kulkarni

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr. Sarang S. Aradhye a/w Ms. Gauri Velankar, Mr. Shantanu Gurav and Mr. Saarth Chordia for Petitioner.

Smt. Leena Patil, 'B' Panel for Respondent No.1-State.

Mr. Ajit Hon a/w Mr. Ramakant Dake and Mr. Shubham Mahure for Respondent No.2.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 9th December 2024.

P.C. :

1) Heard Mr. Aradhye, learned Advocate appearing for the Petitioner and Mr. Hon, learned Advocate for Respondent No.2.

2) At the outset, learned Advocate for Respondent No.2 on instructions submitted that, the Petitioner has already challenged Notice dated 9th February 2024, which is also impugned in present Petition by filing R.C.S. No.42 of 2024 in the Court of Civil Judge Junior Division, Akkalkot. The said suit was filed in the month of March 2024. That, the Petitioner in present Petition has suppressed the said fact and in prayer clause (c) of the

Petition, has impugned the said notice issued by Respondent No.2 under Section 53 of the Maharashtra Regional and Town Planning Act, 1966 (“the said Act”). He further pointed out that, for claiming relief as prayed in terms of prayer clause (b), no statutory notice also known as purchase notice as contemplated under Section 127(1) of the said Act has been issued.

3) As the Petitioner has suppressed material fact by filing the Petition and has not approached this Court with clean hands, we are not inclined to entertain present Petition and we accordingly dismiss the same in *limine*.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

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