



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

913 WRIT PETITION NO. 3806 OF 2025

**ZAFAR JALAL SK JALAL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

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Advocate for the Petitioner : Mr. Taher Ali Quadri & Shaikh Mohammad
Addl. GP for Respondents/State : Mr. M.M. Nerlikar
Advocate for Resp. Nos.2 & 3 : Mr. R.K. Ingole

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**CORAM : MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.
DATE : 21.03.2025**

P.C. :-

1. The petitioner has been served with the notice under section 53(1) as well as under section 54 of the MRTP Act, 1966.
2. On the last date the learned advocate for the petitioner submits that the petitioner had submitted an application seeking retention under section 44. Today the learned advocate for the respondent/municipal corporation informs that it has been rejected. The learned advocate for the petitioner submits that the rejection is for failure of the petitioner to produce documents. Today again he has submitted an application along with

documents for retention under section 44 which can be directed to be considered.

3. We dispose of the writ petition with directions to respondent nos.2 and 3 to consider the petitioner's retention application under section 44 on its own merits by extending him an opportunity of being heard. The decision shall be taken within six (6) weeks.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]