

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11335 OF 2025

Virendra Jambukumar Dawada

...Petitioner

versus

The State of Maharashtra and Ors.

...Respondents

NIKITA
KAILAS
DARADE
ADVOCATE
IN THE
COURT OF
THE HON'BLE
JUDGE
IN CHARGE
OF THE
CIRCUIT BENCH
AT KOLHAPUR
18.10.2025

.....

Mr. Satish Raut a/w Shravan H. Sul for the Petitioner.

Mr. Rupesh K. Bobade a/w Ms. Shradha Nakadi for the Respondent No.3.

Mr. V. M. Mali, AGP for the State.

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**CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ.**

DATE : 16th OCTOBER, 2025.

P.C:

1. Heard learned Counsel for the Petitioner.
2. The petitioner seeks quashing of the order dated 8th November, 2024 passed by the Chief Officer, Nagar Panchayat, Natepute, Solapur i.e. Respondent No.3. The petitioner further seeks a direction to the Respondent Nos. 2 and 3 to grant final sanction to the lay out plan as approved by the Assistant Director of Town Planning, Solapur dated 31st May, 2021 within time bound period. The reason, why the application as filed by the petitioner for grant of final sanction to the lay out plan is not being considered is in view of the letter dated 9th October, 2024 issued by the Sub-Divisional Officer, Malshiras, Division Akluj which is

at page No.35 of the paper book. As per this communication, the Chief Executive Officer of the Nagar Panchayat of Natepute was informed that the application for sanction of lay out plan be kept in abeyance on the ground that the process of acquisition of said land is underway.

3. In our opinion, such course ought not to be adopted by the Respondents. If the Respondent No.2 intends that the land is needed for any purpose, then proper steps had to be taken under the provisions of law to initiate acquisition proceedings. As of now, there is nothing on record to indicate that any steps have been taken for acquiring the subject land of which the request for sanctioning the lay out is made.

4. In this view of the matter, in our opinion, the non consideration of the application made by the Petitioner for sanctioning of the lay out on the ground stated in the impugned order is erroneous.

5. The Respondent No.3 is directed to consider the application made by the Petitioner for grant of final sanction to the lay out plan as approved by the Assistant Director Town Planning, Solapur dated 31st May, 2021 on its own merits and in accordance with expeditiously.

6. The impugned order is set aside. The petition succeeds and is accordingly allowed. No costs.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]