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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12792 OF 2025

Suresh Jugalkishor Kabra and Others

PETITIONERS

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....
Mr. M. P. Tripathi h/f Mr. K.J. Ghute Patil, Advocate for Petitioners
Mrs. V. S. Chaudhari,, AGP for Respondent - State
Mr. R. R. Chandak, Advocate for Respondent No.2.
.....

[CORAM : NITIN B. SURYAWANSHI, &
VAISHALI PATIL-JADHAV, J. J.]

DATE : 6th MAY, 2026

ORDER :

1. The Petitioners have putforth the following prayers:

“B. *To hold and declare that, the reservation over the land owned by the petitioners in Survey No. 245, situated at Manwat to the extent of 75 R land, as Site No. 62 by Development Plan dated 31.05.2001, which is reinstated as Site No. 26 by Notification dated 29.05.2025 as Play ground, is lapsed to the extent of petitioners property in view of the provisions of Sec. 127 of the M. R. T. P. Act, 1966*

C. *By issuing writ of mandamus or any other order or directions in the like nature, the respondent authorities may kindly be directed to issue Notification u/Sec. 127 (2) of the M. R. T. P. Act declaring that, the reservation on the land bearing*

Survey No. 245 to the extent of 75 R land situated at Manwath, Tq. Manwant, Dist Parbhani as Site No. 62 which is now reinstated as Site No. 26 by Notification dated 29.05.2025 as Play ground, has lapsed in view of the provisions of Sec. 127 of the Maharashtra Regional & Town Planning Act, 1966”

2. By filing affidavit in reply, the Respondent No.2 has admitted that, no steps are taken by the Municipal Council for acquisition of Petitioners' land, within the stipulated period of two years. In that view of the matter, the Petition deserves to be allowed and the same is allowed in terms of prayer clauses "B" and "C".

[VAISHALI PATIL-JADHAV]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE