

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

WRIT PETITION NO. 1482 OF 2018

GANGADHAR NARHARI MAMIDWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for the Petitioner : Shri Gangakhedkar Shailendra S.
AGP for Respondent 1 : Shri S.K.Tambe.

...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 08th February, 2018

Per Court:

1 The Petitioner is aggrieved by the order dated 18.01.2018 passed by the Chief Officer, Municipal Council, Himayatnagar, District Nanded by which, the permission of change of user converting the land admeasuring 1 Hector 97 R in Survey No.301/2 as non agricultural land granted in 1973, has been altered under Section 51(1)(b) of the Maharashtra Regional and Town Planning Act, 1966.

2 The contention is that once such permission of change of user is granted, there is a prohibition on modifying or reversing the said permission.

3 The learned Advocate for the Petitioner indicates from the interim orders passed by this Court (Coram : V.K.Jadhav, J.) in Writ

Petition No.13831/2017 (Sanjay Sidheshwar Kancharlawar vs. The State of Maharashtra and others) dated 28.11.2017, Writ Petition No.14343/2017 (Balaji Tukaram Yerawar vs. State of Maharashtra) dated 12.12.2017 and Writ Petition No.14354/2017 (Rajani Kishor Jagtap vs. State of Maharashtra) dated 12.12.2017, that the ad-interim relief has been granted in favour of those Petitioners.

4 The learned Advocate for the Petitioner assures that he would research to look up the judicial pronouncements on this subject.

5 Issue notice to the Respondents returnable on 23.03.2018. The learned AGP waives service for Respondent No.1. Humdast granted, on request.

6 Copies of the petition paper book for issuance of notices shall be supplied on or before 20.02.2018, failing which, this petition shall stand dismissed without reference to the Court on 21.02.2018.

7 Until the returnable date in this petition, the impugned order dated 18.01.2018 shall stand stayed.