

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

**990 CONT. PETITION NO. 247 OF 2015
IN WP/3730/2012**

AURANGABAD ZILLA PHAL VA BHAJIPALA VIKRATA UNION,
AURANGABAD

VERSUS

PRAKASH MAHAJAN

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Mr. Patil Vinod Prakash, Advocate for the Petitioner

Ms. A. S. Deshmukh, AGP for Respondent-State

Mr. Tope Sambhaji Subhashrao, Advocate for Respondent

Mr. Ajinkya Kale h/f Talekar And Associates, Advocate for
Respondent No.2

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**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATED : 07/05/2026

P. C. :

1. Learned counsel Mr. Tope for respondent No.1 – Corporation has placed on record the minutes of the meeting held on 09/04/2026 pursuant to the order of this Court. The same is taken on record and marked as 'X' for identification.

2. Upon going through the said minutes of the meeting, it is revealed that respondent No.2 – Developer has not obtained the 'Occupancy Certificate' from the respondent – Corporation and therefore, the existing two-storeyed structure has not been transferred by the Corporation to the petitioner. It is further revealed that respondent No.2 – Developer had assured that the proposal for grant of partial 'Occupancy Certificate' would be

submitted on 30/04/2026. Learned counsel for respondent No.2 – Developer submits that such proposal has already been forwarded to the respondent – Corporation and the same is pending for necessary sanction.

3. However, learned counsel for the respondent – Corporation submits that unless the fire safety mechanism is installed in the existing structure, no partial ‘Occupancy Certificate’ can be granted. On the other hand, learned counsel for respondent No.2 – Developer submits that the said fire safety mechanism shall be installed within a period of 15 days from today. If such mechanism is installed then the learned counsel for respondent – Corporation undertakes to inspect the same within one week and then the necessary partial ‘Occupancy Certificate’ can be issued. In view of these submissions, place the petition for further consideration on 08/06/2026.

(ABASAHEB D. SHINDE, J.) (SANDIPKUMAR C. MORE, J.)