



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

4 WRIT PETITION NO. 9243 OF 2025

**BABAN ARJUN WADEKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the petitioners : MR.D.P.Palodkar h/f.

Mr.S.D.Nimbalkar

AGP for Respondent-State : Mr.K.B.Jadhavar

Advocate for Respondent no.4 : Mr.S.E.Shekade

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CORAM : ARUN R. PEDNEKER, J.

DATE : 29.09.2025

P.C. :

1] The learned counsel for the petitioners submits that the land on which the passage is claimed under the Mamlatdars' Courts Act falls within the area of Special Planning Authority i.e. Chhatrapati Sambhajanagar Metropolitan Development Authority. He further submits that the development plan on the region is sanctioned under Section 31 of the Maharashtra Regional and Town Planning Act, 1966 on 08.11.2017. He further submits that once the plan is sanctioned by the Special Planning Authority in terms of rule 3.3.14 of the Unified Development Control and Promotion Regulations for Maharashtra State, the excess road to the land-locked plot

can be made open and the Mamlatdar cannot exercise jurisdiction under Section 5 of the Mamlatdars Courts Act once the property is shown under Section 31 of the MRTTP Act and the Special Planning Authority is constituted for the region.

2] Issue notice to the respondents, returnable on 14.10.2025. The learned AGP waives notice for respondent nos.1 to 3. Mr.S.E.Shekade, learned counsel waives notice for respondent no.4.

3] Interim relief, if any, to continue till the next date.

[ARUN R. PEDNEKER]
JUDGE

DDC