



Maharashtra State
Directorate of Town Planning & Valuation
Central Building, Pune- 411 001

ORDER

No.D.T.P/D.P.Kagal(Rev.)/W.P.No.5759/2021/Site No.18/Sec-127(2)/Order/TPV-I/

Date:- 27/08/2024

4625

Maharashtra Regional and Town Planning Act, 1966.

Whereas, the Development Plan of Kagal Municipal Council has been sanctioned under the provisions of section 31 (1) of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) (hereinafter referred to as “**the said Act**”) by the Government in Urban Development Department vide its Notification No.TPS/2186/402/CR-84/76/UD-7, dated 29.08.1986 (hereinafter referred to as “**the said Notification**”) & came into force with effect from 15.10.1986 (hereinafter referred to as “**the said Sanctioned Development Plan**”);

And whereas, in the said Sanctioned Development Plan, the land bearing S.No.250/2 & 250/1/B, of Mouza Kagal is affected by the Reservation Site No.18 “Balwadi” (hereinafter referred to as “**the said Reservation**”) and Appropriate Authority for the acquisition and development of the said reservation is Municipal Council, Kagal (hereinafter referred to as “**the said Appropriate Authority**”);

And whereas, the land under the said Reservation has not been acquired by the said Appropriate Authority within 10 (ten) years from the date on which the said Sanctioned Development Plan came into force;

And where as, the concerned land owners (hereinafter referred to as “**the said Land Owners**”) of the land under the said Reservation in respect of S.No.250/2 & 250/1/B of Mouza Kagal (hereinafter referred to as “**the said Land**”) had served a



notice under the provisions of section 127(1) of the the said Act, (hereinafter referred to as “**the said Notice**”) on the said Appropriate Authority on 30.03.2013;

And whereas, the said land under the said Reservation are not acquired or no steps as required under the provisions of section 127 (1) of the said Act have been taken by the said Appropriate Authority, within a stipulated period from the date of service of the said notice;

And whereas, the Hon’ble High Court of Judicature at Mumbai vide its order dated 08.12.2021 (hereinafter referred to as “**the said order**”) in Writ Petition No.5759/2021 filed by the land owners of the said land, directed to notify the lapsing of Reservation on petitioners land within eight weeks from the date of the said order;

And whereas, after considering the above facts and they said order in respect of the said Reservation on the said land in the said Sanctioned Development Plan, the Director of Town Planning, Maharashtra State, Pune is of the opinion that, it is necessary to issue the order under the provisions of section 127(2) of the said Act, regarding the lapsing of the said Reservation on the said land;

And whereas, the Government in Urban Development Department under the provisions of section 151 of the said Act, vide Resolution No.TPS-1813/3211/CR-508/UD-13, dated 01.12.2016, has delegated the powers exercisable by it under the provisions of section 127 (2) of the said Act, in respect of Development Plans of all Municipal Councils / Nagar Panchayat and for the development plans undertaken by Zilla Parishad as a Planning Authority, to the Director of Town Planning, Maharashtra State, Pune;

Now therefore, the Director of Town Planning, Maharashtra State, Pune, by this order and as specified in the Schedule hereinafter hereby notify the lapsing of the said Reservation in respect of the said lands under the provisions of section 127(2) of the said Act & for that purpose amends the said Notification of the said Sanctioned Development Plan, as follows-

After the last entry in the Schedule of Modifications accompanying the said Notification of the said sanctioned Development Plan, the following new entry shall be added:-

SCHEDULE

| Sr.No. | Municipal Council Mouza, Taluka and District | Reservation in the said sanctioned Development Plan & its Approxi. Area as per D.P. Report | Description of the said Land | Approximate Area lapsed from the said Reservation (sq.m) |
|--------------|--|--|------------------------------|--|
| 1 | Kagal Municipal Council Mouza Kagal, Dist.- Kolhapur | Site No. 18 "Balwadi" (2100 sq.mtr.) | S.No.250/2 & 250/1/B | 1310 |
| Total | | | | 1310 sq.m |

- Note:-** 1. The said land so released from the said Reservation shall become available to the said land owners for the purpose of development as otherwise permissible in the case of adjacent land under the said Sanctioned Development Plan.
2. A copy of the part plan of the said Sanctioned Development Plan showing the areas of the said land which is lapsed from the said reservations, is available in the office of the Chief Officer, Municipal Council, Kagal, District Kolhapur during office hours on all working days for inspection to public upto one month.
3. This Order shall also be published on the Directorate's official website www.dtp.maharashtra.gov.in.



(Signature)
(Avinash B. Patil)
Director of Town Planning,
Maharashtra State, Pune.