



Maharashtra State
Directorate of Town Planning & Valuation
Central Building, Pune-411001

ORDER

No. D.T.P/D.P.Wardha/Sec-127(2)/Order/TPV-II/ 5217

Date:- 27.09.2024.

Maharashtra Regional and Town Planning Act, 1966.

Whereas, the Development Plan of Pulgaon Municipal Council has been Partly sanctioned as per 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 Notification No. TPS- 2696/771/CR-242/UD-9, dt 14/03/1997 (hereinafter referred to as "**the said Notification**") & has come into force with effect from dt. 19/05/1997, (hereinafter referred to as "**the said Sanctioned Development Plan**") and the Excluded Plan has been sanctioned in Urban Development Department vide Notification No. TPS-2696/771- A & B/CR-242/96/UD-9, dtd.29/02/2000 & has come into force with effect from dt.01/06/2000;

And whereas, in the said Sanctioned Development Plan, area admeasuring approximately 3100 sq.mt. of the land bearing S. No. 455-A (Old S. No. 214 pt.) of Mouza Gunjkheda is affected by the Reservation Site No. 23, "Vegetable Market and Shopping Center" (total area under reservation 0.31 Ha.) (hereinafter referred to as "**the said Reservation**") and the Planning and Appropriate Authority for the acquisition and development of the said Reservstion is Municipal Council, Pulgaon (hereinafter referred to as "**the said Appropriate Authority**");

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

And whereas, the concerned land owner (hereinafter referred to as "**the said Land Owner**") of the Land bearing S. No. 455-A (Old S. No. 214 pt.) admeasuring area approximately 3100 sq.mt. which is affected by the said Reservation (hereinafter referred to as "**the said Land**") had served a notice as per the provisions of section 127(1) of the said Act, (hereinafter referred to as "**the said Notice**") on the said Appropriate Authority on 01/07/2020;

And whereas, the said Land under the said Reservation is not acquired or no steps as required as per the provisions of section 127 (1) of the said Act have been taken by the



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Planning Authority within the stipulated period from the date of service of the said notice by the said land owner as per the provisions of section 127 of the said Act;

And whereas, the Hon'ble High Court, Mumbai, Nagpur Bench in the judgement dated 20/07/2024 in Writ Petition No. 5611/2022 (hereinafter referred to as "**the said Writ Petition**") has passed an order that, the reservation on the said land has lapsed as per the provisions of section 127 of the Said Act and directed to notify the lapsing of the reservations in accordance with law;

And whereas, Municipal Council, Pulgaon vide Marathi letter No. नपपु/ न.र.वि./127(2)/310/2024, dated 02/09/2024 has communicated that, the proposal for land acquisition of the said land under the said reservations has been submitted to Collector Office, Wardha and it has been informed that no further action has been taken in the said land acquisition proposal. Also, Special Leave Petition is not filed by Municipal Council, Pulgaon against the order passed in the said Writ Petition;

And whereas, Assistant Director of Town Planning, Wardha Branch, Wardha vide letter No. 1605, dt. 25/09/2024 has submitted report stating that, 'As the process of land acquisition in the said case has not been completed within the prescribed period, the said reservation has lapsed as per the provisions of Section-127 of the said Act and there is no objection to issue an order under Section-127 (2) of the Maharashtra Regional Planning and Town Planning Act, 1966 in the matter';

And whereas, on perusal of the approved layout plan of Mouza Gunjkhedha S.No. 455 (old S.No. 214 part), received from the Chief Officer, Municipal Council, Pulgaon, it is observed that 3100 sq.m area is affected by the said reservation. And it is evident from the updated 7/12 extract, that the land owned by the said Land Owner is mentioned as S.No. 455-A;

And whereas, after considering the above facts 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 as per the provisions of section 127(2) of the said Act, regarding the lapsing of the said Reservation on the said land admeasuring area 929 sq.mt.;

And whereas, the Government in Urban Development Department as per the provisions of section 151 of the said Act, vide Resolution No.TPS-1813/3211/CR-508/UD-13, dt.01/12/2016, has delegated the powers exercisable by it as per 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 land as per 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	Proposal in the said sanctioned Development Plan & its Approxi. Area as per D.P. Report	Description of the Land	Approximate Area lapsed of the said Reservation (sq. mt.)
1	Pulgaon Municipal Council, Mouza Gunjkhedra Tal. Pulgaon, Dist. Wardha.	Site No.23 "Vegetable Market and Shopping Center" Area 3100 sq.mt.	S.No. 455-A (Old S.No. 214 Pt.)	3100

- Note:-** 1. The said Land so released from the said Reservation shall become available to the said Land Owner 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 are lapsed from the said Reservation is available in the office of the Chief Officer, Municipal Council, Pulgaon, District Wardha 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.




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