



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

ORDER

No. D.T.P/D.P.Katol(R+AA)/Sec-127(2)/Order/TPV-II/ 5442 Date:- 08 .10.2024.

Maharashtra Regional and Town Planning Act, 1966.

Whereas, the Development Plan of Katol Municipal Council (Revised +AA) 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-2406/3123/CR-133(A)/07/UD-9, dtd.04/11/ 2008 (hereinafter referred to as "**the said Notification**") & has come into force with effect from dt.15/12/2008, (hereinafter referred to as "**the said Sanctioned Development Plan**");

And whereas, in the said Sanctioned Development Plan, area admeasuring approx. 0.375 ha. and 0.30 ha. of the land bearing S.No. 38 of Mouza Sangama is respectively affected by the Reservation Site No. 78, "Primary School" and Reservation Site No. 79, "Shopping Complex" (hereinafter referred to as "**the said Reservations**") and the Appropriate Authority for the acquisition and development of the said Reservations is Municipal Council, Katol (hereinafter referred to as "**the said Appropriate Authority**");

And whereas, the lands affected by the said Reservations 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;



ABP

And whereas, the concerned land owner (hereinafter referred to as “**the said Land Owner**”) of the land bearing S.No. 38 which is affected by the said Reservations (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 09.04.2021;

And whereas, the said land under the said Reservations are not acquired or no steps as required as per the provisions of section 127 (1) of the said Act has been taken by the Appropriate 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 order dt. 19.09.2022 in Writ Petition No. 5314/2022 (hereinafter referred to as “**the said Writ Petition**”) has passed an order that, the said Reservations on the said land have lapsed as per the provisions of section 127 of the said Act;

And whereas, Chief Officer, Municipal Council, Katol vide Marathi letter No. नपका/नरवि/क127/344/2023, dt. 10.01.2023 has submitted A proposal to the government regarding the lapsing of the said reservation, stating that *if the land reserved for the said reservations is to be acquired, the price of the land will have to be paid at a much higher rate as per the Land Acquisition Act of 2013;*

And whereas, Director of Town Planning, Maharashtra State, Pune vide letter no. 990, dt. 28.02.2023 informed to the Government That, The said Reservations have been lapsed before the completion of the statutory period of 24 months from the date of issuing the notice As per the provisions of section 127 of the said Act, Therefore, it would be appropriate to file a review petition in the matter;

And whereas, in the meantime, the statutory period of 24 months has been completed on 08.04.2024 regarding the notice dt. 09.04.2022 issued under the

provisions of section 127 of the said Act by the said Land Owner and also Considering the fact that, no Review Petition filed against the order of the High Court, the Director of Town Planning, Maharashtra State, Pune had seek guidance from the Government regarding the issuance of an order as per the provisions of section 127 (2) of the said Act, the Government, directed that there is no objection to the issuance of an order under the provisions of section 127 (2) in accordance with the notice issued by the the said Land Owner, for the said land;

And whereas, after considering the above facts in respect of the said Reservations on the land bearing S. No. 38 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 Reservations on the land bearing S. No. 38;

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 Reservations in respect of the land bearing S.No. 38 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 said Land	Approximate Area lapsed from the said Reservations (Ha.)
1	Katol Municipal Council, Mouza Sangama Tal. Katol, Dist. Nagpur.	Site No. 78 "Primary School " Area 0.375 ha.	S.No. 38	0.375
		Site No. 79 "Shopping Complex" Area 0.30 ha.		0.30

Note:- 1. The said Land so released from the said Reservations 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 Reservations are available in the office of the Chief Officer, Municipal Council, Katol, District Nagpur 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.



(Handwritten Signature)

(Avinash B. Patil)

Director of Town Planning,
Maharashtra State, Pune.