

IN THE COURT OF SUB-DIVISIONAL OFFICER,

A. K. D. L. A.

Revenue Case No. MAP-34/Malkapur/ / 77-78.

Applicant :- Nawalkishore Chimanlal Bhartia of Akola.



ORDER.

(Passed this 18th day of May, 1978).

This is an application made under Section 44(1) of the Maharashtra Land Revenue Code, 1966, by Nawalkishore Chimanlal

Bhartia of Akola, Taluka Akola, District Akola. The applicant intends to revise layout of S.No. 10/3 and 11/1, Area 596772 sq.ft. situated in Malkapur for residential purpose.

2. The layout furnished by the applicant was referred to the Assistant Director of Town Planning for his remarks. He has finally approved the layout as per his letter no. TAPK/Conv./Malkapur/Akola-192 dated 15-4-78.

3. The applicant has also undertaken to abide by the conditions to be imposed while granting the permission to convert the land.

4. The land to be converted falls out of the Nazul Perimeter and as such the non-agricultural assessment at the rate of 5-00 paise per square metre shall be charged.

5. After going through the case record, I see no objection to grant the necessary permission to divert the said land.

6. I, therefore, grant permission to the applicant under Section 44(2)(c) of the Maharashtra Land Revenue Code, 1966, to revise the layout land measuring 596772 sq.ft. out of S.No. 10/3 and 11/1 of Malkapur for non-agricultural purpose on following conditions.

- (i) The applicant shall use the land only for the purpose for which permission has been granted;
- (ii) The applicant shall pay the non-agricultural assessment of Rs. 371-36, i.e. for 37136-29 square metres (398315 sq. ft) at the rate of 0-01 paise sq. metre, which is residential area;
- (iii) The applicant shall communicate in writing to the

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the Tahsildar, Akola, and Nazul Tahsildar, Akola, the date of actual commencement of Non-Agricultural use, within 30 days from such date. Failing this, the applicant shall be liable for punishment as per rule 6 of the Maharashtra Land Revenue (Conversion of use of land and non-agricultural assessment) Rules, 1969;

- (iv) The applicant shall not modify, alter or make any changes in the approved layout without prior permission of this Court;
- (v) No plot shall be further sub-divided without prior permission of this Court;
- (vi) While making construction margin as shown below shall be left in case of each plot:-

	<u>Area of plots.</u> <u>5000 sq.ft. and</u> <u>above.</u>	<u>For the plots</u> <u>2000 to 5000 sq.ft.</u>
(A) Front:	15 Feet.	15 Feet.
(B) Either side:	10 Feet.	7 1/2 Feet.
(C) Rear:	15 Feet.	10 Feet.

For corner plots both the roads shall be ^{freed} located as front roads for the purpose of marginal open spaces.

- (vii) The built up area in any plot shall not exceed 1/3rd of the total area of such plot. The building shall not have more than three storeys including ground floor (limited to F.G. 1. one) shall be allowed.
- (viii) There shall be only one main building on any plot and the distance between any two buildings shall not be less than 20 feet.
- (ix) The lane, roads, drains and open spaces (reserved for garden playgrounds) shall be developed to the satisfaction of the Gram Panchayat, Malkapur, and shall be handed over to the Gram Panchayat, Malkapur, free of cost.
- (x) All the plots in the layout except the site reserved as Park shall be used for residential purpose only.
- (xi) The site reserved as Park in the layout shall permanently be kept open free from any structure for public use shall be vested in the local authority (Gram Panchayat) free of cost.
- (xii) The existing facilities such as shady trees and the like shall be maintained;
- (xiii) In all other respects model building bye-laws and the rules and regulations prescribed in the Maharashtra Land Revenue (conversion of use of land and non-agricultural assessment) Rules, 1969, shall be followed;
- (xiv) The applicant shall not sell, dispose of, any plot or construct or cause to be constructed any structure on any of the plots before first developing and constructing lane, drains, roads, etc.;
- (xv) The applicant shall bear the cost of construction of main drain as will be determined by the Gram Panchayat, Malkapur, and any agreement to that effect shall be executed at the cost of the applicant.
- (xvi) No inflammable material shall be used while constructing any building and all construction should be of permanent nature.

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- (xvii) The applicant shall commence the non-agricultural use of the said land within a period of one year from the date of this order, failing which this permission shall be liable for cancellation.
- (xviii) The permission is liable to be cancelled if any information given at the time of application and enquiry is found to be incorrect later on.
- (xix) The breach of any of the conditions mentioned above shall result in revocation of the permission and imposition of penalties as provided under Section 45 of the Maharashtra Land Revenue Code, as if the non-applicant use was unauthorised.
- (xx) It shall also be lawful for the Sub-Divisional Officer, Akola, to direct the renewal or alteration of any building or structure erected or used contrary to the conditions of the grant of this permission and on such renewal or alteration not being carried out within the stipulated time to get it done at Government cost and to recover the cost of carrying out the same from the occupant of the plot as an arrears of land revenue.
- (xxi) The applicant shall give written intimation to the Tahsildar, regarding any transfer of any plot with particulars like full name, address etc. of such transferee. The copy of such intimation be given to the Sub-Divisional Officer, Akola.
- (xxii) The building bye-laws of Gram Panchayat, Malkapur, shall be binding.
- (xxiii) The applicant shall execute a Sanad in Form

S. J. ...
Sub-Divisional Officer,
Akola.

Copy to :-

1. The Tahsildar, Akola.
2. The Sarpanch, Gram Panchayat, Malkapur.
3. The Asstt. Director of Town Planning, Akola.
4. The Talathi, Malkapur, through The Tahsildar, Akola.
5. The applicant.

[Signature]
Sub-Divisional Officer,
Akola.

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30/9/17

