

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1211 OF 2016

[Mangesh Vijay Kashikar .vs. The City of Nagpur Corporation, Civil Lines, Nagpur]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATED : MARCH 22, 2016.

By this writ petition, the petitioner seeks a direction to the respondent-Municipal Corporation to implement the notice dated 25.9.2012, issued under Section 53 of the Maharashtra Regional and Town Planning Act, 1966.

According to the petitioner, though a notice is served on the petitioner under the provisions of Section 53 (1) of the Act of 1966, the respondent has not taken any steps to implement the notice.

We are surprised that the petitioner should approach this court to seek the implementation of the notice issued to the petitioner under Section 53 (1) of the Act. It *prima facie* appears from the notice that the property is in possession of Smt. Shakuntala Chilkewar and, therefore, the petitioner has sought the implementation of the notice with a view to secure the possession of the property.

We are not inclined to entertain the writ petition at the behest of the petitioner more than three years from the service of the notice only with a view to oust the possessor. Hence, we dismiss the writ petition, with no order as to costs.

JUDGE

JUDGE