

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

WRIT PETITION NO.5557/2018

Pandurang s/o Dashrath Bhadbhunje

...Versus...

The Nagpur Municipal Corporation through its Municipal Commissioner, Civil
Lines, Nagpur, Tahsil and District Nagpur and others

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

Court's or Judge's orders

Shri A.D. Dangore, Counsel for petitioner
Shri S.M. Ukey, Counsel for respondent nos.1 and 2

CORAM : SUNIL B. SHUKRE AND
MILIND N. JADHAV, JJ.

DATE : 11/09/2019

1. Heard.
2. Reply is filed on behalf of the respondent nos.1 and 2. The same is taken on record.
3. The reply shows that no action has been taken in pursuance of the notice issued under Section 53 (1) of the Maharashtra Regional and Town Planning Act on 26/5/2015 as it did not comply with the provisions of law as regards the period stipulated within which the unauthorized structure was directed to be removed and that now fresh notice under Section 53 (1) of the Maharashtra Regional and Town Planning Act has been issued on 07/09/2019 to respondent no.3.

4. According to the reply, this notice has been issued by strictly complying with the provisions of law and it gives assurance that the necessary action would be taken under Section 53 (1) of the Maharashtra Regional and Town Planning Act after the stipulated period of notice is over, provided no legal impediment arises in the matter.

5. The undertaking is accepted and therefore this writ petition is disposed of in terms of the reply and the assurance given on behalf of the respondent nos.1 and 2.

No order as to costs.

JUDGE

JUDGE

Wadkar, P.S.