

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

WRIT PETITION NO.8244 OF 2019

(Smt. Snehal Sanjay Manekar and others Vs. Nagpur Municipal Corporation, thr. its
Commissioner, Nagpur and another)

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

Court's or Judge's orders.

Shri Rahul Tajne, Advocate for Petitioner.
Shri S.M. Puranik, Advocate for Respondent Nos.1 & 2.

CORAM: SUNIL B. SHUKRE AND
ROHIT B. DEO, JJ.

DATE: 16th DECEMBER, 2019.

Heard Shri Tajne, learned counsel for the
petitioners.

Shri S.M. Puranik, learned counsel appears for
respondents no.1 and 2 by waiving notice.

The petitioners are seeking appropriate writ for
quashing and setting aside the notice dated 13.12.2019
issued by respondent no.2 on the ground that no time has
been granted to the petitioner for removal of the
unauthorized construction, in terms of Section 53 of the
Maharashtra Regional Town Planning Act.

We would have accepted the contention of the
petitioners, had it been the case that the petitioners were
having sanctioned plan for making construction in the stilt
parking area. Admittedly, the petitioners do not possess any
sanction plan for any sort of construction in the stilt parking
area. The notice, admittedly, has been received by the

petitioners on 14.12.2019, which gave more than 24 hours time to the petitioners to remove the unauthorized structure. The petitioners have not done it so far. The petitioners, having made unauthorized construction in prohibited area of a building, and having not removed it inspite of having been given time of more than 24 hours cannot approach this Court for seeking any sort of relief in the matter. The petition is devoid of merit and stands summarily dismissed.

Respondent nos.1 and 2 are directed to take stringent against all violators including the petitioners at the earliest. No costs.

Authenticated copy of the order be furnished to learned counsel appearing for the Nagpur Municipal Corporation, Nagpur.

JUDGE

JUDGE