

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

WRIT PETITION NO.1844 OF 2019

Narendra S/o Keshavrao Paratey & others

vs.

State of Maharashtra and ors.

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

Court's or Judge's order

.....
Shri M. Anilkumar, Advocate for petitioners.
Shri A.S.Fulzele, Addl.GP for respondent nos.1 and 5.
Mrs. S.S.Jachak, Advocate for respondent no.2.
Shri Girish A.Kunte, Advocate for respondent no.3.

CORAM : R.K. DESHPANDE &
AMIT B. BORKAR, JJ.
DATED : 03.03.2020.

Pursuant to the order dated 17.09.2019 passed by this Court, Nagpur Improvement Trust has filed an affidavit dated 03.03.2020 stating in para nos.2, 3 and 4 as under:

"2. That, the answering respondent already filed its detailed reply, but in addition to that, in the interest of public at large and moreover, the issue of public project involved the answering respondent, in order to assist the Hon'ble Court respectfully submits that, as per actual position, the width of the road can be adequately maintained so as to ensure free moment of traffic. Nagpur Improvement Trust is ready to give the land from its own share without disturbing sanction of building plan, up to the limit of 2927 Sq.ft. rendering width of the road approximately 22 ft. including existing road width. Nagpur

Improvement Trust is unable to go further on this point otherwise its sanction of Building Plan of the project will be affected due to non availability of required margins as per Development Control Rules.

3. *That, the project involved is a public project and it is for the economic weaker section, which is already been completed subject to deliver to the respective allottees, after the draw which is already completed on 18.08.2019, which cannot be interrupted in any manner, the said aspect may kindly be taken into consideration.*

4. *That it is bring to the notice of this Hon'ble court, that the petitioner are causing obstruction/hurdle in the work of laying water pipeline, construction of compound wall, therefore the answering respondent is unable to provide the water supply to the project which is causing delay to the allotment to the respective allottees. This Hon'ble court may be please to direct the petitioners not to obstruct the development work of the project during the pendency of the petition and even after the disposal of the petition."*

2. It is assured before this Court that the compliance as is stated above, shall be done within a period of four weeks from today. Accordingly, the order dated 17.9.2019 is modified and the petition is disposed of.

JUDGE

JUDGE