

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

WRIT PETITION NO. 3365 OF 2017

Asha w/o Shyamrao Kankal

..vs..

Nagpur Municipal Corporation, through its Municipal Commissioner, Nagpur and ors.

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

Court's or Judge's orders

Shri V.H. Kedar, Advocate with Shri B.V. Reddy, Advocate for
petitioner.

Shri G.A. Kunte, Advocate for respondent nos. 2 and 3.

CORAM : A.S. CHANDURKAR AND VINAY JOSHI, JJ.
DATED : 28th JANUARY, 2020.

The petitioner by virtue of sale-deed dated 30.12.1996 purchased plot nos. 154 and 155. On 15.09.2005, the Nagpur Improvement Trust permitted regularization of the said plots on certain terms and conditions. Subsequently, on 26.12.2013, the Nagpur Improvement Trust issued notices to the petitioner to show cause as to why the letter of regularization should not be cancelled. Being aggrieved by that letter, the present writ petition is filed.

Shri V.H. Kedar, learned Counsel for the petitioner submits that liberty be granted to petitioner to file an appeal before the Chairman of Nagpur Improvement Trust for challenging the order dated 26.12.2013. He further submits that the petitioner would take necessary steps to have plot nos. 154 and 155 amalgamated.

Considering the nature of request as made and as the petitioner seeks redressal of her grievances by

approaching the concerned authorities, the writ petition is disposed of by passing the following order :

- (i) The petitioner is at liberty to challenge the order dated 26.12.2013 by filing an appeal before the Chairman of the Nagpur Improvement Trust. If, such appeal is filed before the Chairman within a period of one month from today, the same shall be entertained on merits and in accordance with law. All points raised are kept open.
- (ii) It is also open for the petitioner to take such steps as permissible in law to have both the plots amalgamated by approaching the Nagpur Municipal Corporation.

(VINAY JOSHI, J.)

(A.S. CHANDURKAR, J.)

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