

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

Writ Petition No. 150/2021

Milind Purushottam Dange and ors.

... Petitioners

Versus

The Municipal Commissioner, Nagpur and ors.

... Respondents

Shri A.B. Moon, Advocate for the Petitioners

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

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 11 JANUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. From the argument advanced before us, it is clear that after the petition has been filed, through the Reply affidavit various facets in respect of the planning of the area have been brought on record by the Respondents - Municipal Corporation which has completely changed the nature of this petition. The learned Counsel for the Petitioner contends that the facets pointed out by the Respondent – Corporation were not in the knowledge of the Petitioner when the Petition was filed. That being the position, we dispose of the Petition with a liberty to the Petitioner to file a fresh Petition taking into account the various factors that have been placed on record by the Respondents.

3. When a fresh Petition is filed, it would be open to the Petitioner to rely on the paragraph 5 of the order passed by this Court on 04 November 2020.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]