

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

WRIT PETITION NO. 3289 OF 2021

PETITIONERS :-

1. Rajendra Wamanrao Dhote,
Age 45 yrs, Occ. Business, R/o.Plot
No.31, Shivaji Colony, Hudkeshwr Road,
Near Nasre Mangal Karyalay, Nagpur.
Mob.No.9923195311.
2. Hemraj Birju Mohariya, Age 67 yrs,
Occ.Nil, R/o Plot No.55 b, Shaktimata
Nagar, Kharbi Road, Near Water Tank,
Nagpur Pin 44009, Mob. No.
7721858424.
3. Narendra Anantrao Nandanwar, Age 57
yrs, Occ. Retired, R/0 No.126
Kamgarnagar, Near New Nandanwan,
Nagpur. Mob.No.9422805537.
4. Chandrashekhar Ramchandra Gaupale,
Age 52 yrs, Occ.Service, R/o.29, Prashant
Nagar, Corporation Colony, Wardha Road,
Near Central Jail, Nagpur. Mob.
No.9423682661.
5. Sandeep Hemraj Mohariya, Age 34 yrs,
Occ.Private Service, R/o Plot
No.55b,Shaktimatanagar, Khrbi Road,
near water Tank, Nagpur pin
44009.Mob. No.9819949785.

...VERSUS...

RESPONDENTS :-

1. Director, Nagpur Mahanagar Metro Regional Development Authority (NMMRDA), Sub Division Office, Krida Chowk, Hanumannagar, Nagpur.
2. Collector, Nagpur.
Office at: Civil Lines Nagpur-440001.
3. Tahsildar (Nagpur Gramin),
Office at: Civil Lines Nagpur-440001.
4. Secretary, Gram Panchayat, Besa-Beltarodi, Besa, Nagpur.
5. Shaikh Mehbood Shaikh Mehboob, age Major, President, Manavshakti Gruhnirman Sanstha, Nagpur R/o Opposite to Panchwati Vruddhashram, Azad Colony, Bada Tajbaug, Umred Road, Nagpur.
Mob.No.9822427865, 07122741228.
6. Walmik Pundlikrao Ambekar, Age 65 yrs, R/o "Annapurna," 34, Surve Layout, Opposite Chhota Tajbaug, Nagpur 440024. Mob.No. 9822262478.
7. Pradeep Lalchand Verma, Age 40 yrs, Occup. Service, r/o Plot No. 13, Ashirvad Nagar, Hudkeshwar Road, Nagpur.
8. Rajeshri Nilesh Kate, age 33 yrs, Occ. Nil R/o Near Chhatrapati Sabhagruha, Gentech- The Force, 1st Floor, Chhatrapati Square, Nagpur.
9. Vaishali Umakant Rothe, Age 36 yrs., Occup. Nil R/o Near Chhatrapati

Sabhagruh, Genetech- The G Force, 1st
Floor, Chhatrapati Square, Nagpur.

10. Shobha Shankarrao Mamidwar, age-
major, R/o Plot No.60, Manavshakti
Gruhnirman Sanstha, Besa, Nagpur.
Mob.No.9765606258.
11. Vandna Shankarrao Anturkar, age Major,
Occ Nil, R/o Plot No.33, Chandranagar,
near Bhagwan nagar, Nagpur. Mob.No.
9422104124.
12. Pravin Ramchandra Ninave, age Major,
Occ. Service, R/o Central institute of
Fisheries Education, Off Yari Road, Panch
Marg, Varsova, Mumbai, Pin-400061.
Mob. No.9967803876.
13. Sheela Narendra Belsare, age Major,
Occ.Nil, R/o Plot No.55, Manavshakti
Gruhniramna Sanstha, Besa, Nagpur,
Mob.No.8554877623.
14. Ramesh Dhondbaji Palsapure, age Major
,Occup.Labour, R/o 243, Laxminagar,
near Digambar Jain Samaj, Nagpur.

Mr.S.V. Deshmukh, counsel for petitioner.
Ms.K.S. Joshi, G.P for respondent Nos.2 and 3.

**CORAM : SUNIL B.SHUKRE &
ANIL S.KILOR, JJ.**

DATE : 02.09.2021.

ORAL JUDGMENT (Per : Sunil B.Shukre, J.)

1. Heard learned counsel for the petitioners and learned GP for respondent Nos.2 and 3, who appears by waiving notice.

2. In our opinion, there is no need to issue any notice to the remaining respondents as the main grievance of the petitioners is that no action nor any decision is being taken after the petitioners made representations to respondent Nos.2 and 3 for removal of the encroachments made on public road by respondent Nos. 5 to 14.

3. Hence, **Rule**. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties present before this Court.

4. An alternate relief, regarding issuance of appropriate direction to the respondent Nos.2 and 3 has been sought. The Writ Petition is, therefore, partly allowed. Respondent No.3 is directed to decide the representation dated 08.06.2021 filed by the

petitioners, and which has been forwarded to him by respondent No.2, vide his letter dated 29.01.2021, in accordance with law as expeditiously as possible preferably within four weeks from the date of the receipt of the order.

5. Rule accordingly. No costs.

(ANIL S. KILOR,J)

(SUNIL B. SHUKRE,J)