

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

CIVIL APPLICATION NO. 2689/2022 IN WRIT PETITION NO. 1689/2020

(PRAKASH ZADBAJI MAHAJAN **VERSUS** NAGPUR IMPROVEMENT TRUST & ANOTHER)

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

Court's or Judge's order

Shri A.A. Naik, Advocate with Shri A.S. Ambatkar, counsel for the petitioner.

CORAM : A. S. CHANDURKAR AND ANIL L. PANSARE, JJ.

DATE : DECEMBER 05, 2022.

The petitioner seeks to implead the Urban Development Department of the State of Maharashtra as respondent no.3.

The amendment is granted. The same be carried out accordingly. The civil application is disposed of.

WRIT PETITION NO. 1689/2020.

The petitioner is apprehending his dispossession at the hands of the respondent no.1 in the process of construction of a D.P Road. The documents on record indicate notice under Section 127 of the Maharashtra Regional and Town Planning Act, 1966 being issued to the Planning Authority and the response received requiring the petitioner to submit necessary documents. It is the grievance of the petitioner that without acquiring the portion of his land the road is sought to be constructed. Attention is invited to the order passed in **Writ Petition No.8020 of 2019** [*Chandrakant Zadbaji Mahajan Versus Nagpur Improvement Trust & Others*] on 02.12.2022 by the Co-ordinate Bench.

Issue notice to the respondents returnable on 19.12.2022.

Learned counsel Shri S.M. Puranik waives service of notice for the respondent no.1.

Learned Additional Government Pleader Shri A.S. Fulzele waives service of notice for the respondent no.3.

Till the returnable date, no coercive steps be taken to remove the petitioner from the portion of the land where the D.P Road is proposed to be constructed.

To be heard alongwith Writ Petition Nos.1622 of 2020, 1656 of 2020, 7571 of 2022, 7572 of 2022 and 7573 of 2022.

(ANIL L. PANSARE, J.)

(A. S. CHANDURKAR, J.)

APTE