



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

Writ Petition No.5416/2022

Vishwa Adarsh Shikshan Sanstha, Nagpur V the State of Maharashtra and others

Writ Petition No.3042/2022

Vishwa Adarsh Shikshan Sanstha, Nagpur V the State of Maharashtra and others

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

Court's or Judge's Orders

Mr. S. Raisuddin, Adv for petitioner.

Mr. S.M. Ukey, Addl.GP for resp. nos.1 to 6
(respondent no.1 in WP 3042/22)

CORAM : AVINASH G GHAROTE &
URMILA JOSHI-PHALKE, JJ.

DATE : 12-09-2023

Heard learned Counsel for the petitioner.

2. The petitions seek allotment of land of Kh. No. 50, City Survey Nos. 1944 and 1945, plot no. 169-A admeasuring 347.8 Sq.mtrs situated at panchpoli, Nagpur in Writ Petition No.3042/2022 and Survey No.41, Mouza Lonara, admeasuring 5.87 HR, Tahsil and District Nagpur (Gramin) in Writ Petition No.5416/2022 to the petitioner. The entitlement for such allotment is claimed to be based upon Section 118 of the Maharashtra Regional and Town Planning Act, 1966 (for short, 'MRTP Act'). On a query being made, as to whether the Planning Authority has acquired the lands aforesaid or whether it has vested in it by any means, the learned Counsel for the petitioner is unable to point out any such acquisition or manner in which the land could said to be vested in the Planning Authority. Unless this

is done, the provisions of Section 118 of the MRTP Act, would clearly not be attracted. This is apart from absence of any policy by the Nagpur Improvement Trust (NIT) or the State permitting the petitioner to claim an entitlement to be allotted to the aforesaid lands in question.

3. In that view of the matter, we are not inclined to entertain the petitions. Both the petitions are dismissed. No costs.

JUDGE

JUDGE

Deshmukh