



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

CIVIL APPLICATION (CAO) NO.199 OF 2024
AND
PUBLIC INTEREST LITIGATION NO.21 OF 2023
(SURESH NARAYAN SATAV..VS.. GRAM PANCHAYAT ANSING & OTH.)

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

Court's or Judge's orders

Shri R.R.Deo, Advocate for Petitioner.
Shri M.L.Vairagade, Advocate for Respondent No.1.
Shri D.V.Chauhan, G.P. a/w. Shri H.D.Marathe, AGP for Resp. Nos.2, 4 & 6.
Shri R.D.Karode, Advocate for Respondent No.3.
Shri V.N.Morande, Advocate for Interveners.

CORAM : ANIL S. KILOR, AND
SMT.M.S.JAWALKAR JJ.

DATED : MARCH 11, 2024.

CIVIL APPLN.NO.199/2024.

1. For the reasons stated in the application, the application is allowed.
2. The petitioner is directed to add the applicants/ interveners as respondent Nos. 8 to 12 to this PIL, within one week.
3. The Civil Application is **disposed of** accordingly.

PIL NO.21/2023.

4. This Public Interest Litigation was filed for cancellation of the entire tender process for construction

of the Shopping Centre and the Gram Panchayat building by quashing and setting aside the work order dated 09/02/2023 issued in favour of the respondent No.7 and further to demolish the unauthorized and illegal construction.

5. On 14/06/2023, while issuing notices, one of the contentions of the petitioner was recorded by this Court that the land Gut No.452 is not owned by the Gram Panchayat and therefore, the construction would result in causing losses to the public exchequer.

6. Today, Shri Morande, learned counsel for the newly added respondent Nos. 8 to 12 and makes a statement that their ancestors were the owners of the land in question and they donated the land in question to the Gram Panchayat. It is further submitted that they would not claim any right or title over the said land and they admit that it is the property of the Gram Panchayat.

7. Place this matter for further consideration/hearing on **26/03/2024**.

8. In the meantime, the newly added respondents (Nos.8 to 12) shall file an affidavit stating that they will not raise any claim regarding right, title or interest in the land in question. They are further directed to file on record the title documents of their ancestors in respect of the property in question.

9. The learned Government Pleader is directed to seek instructions about applicability of the Government Resolution dated 30/01/2014 to the construction in question and also in relation to the communication dated 04/11/2022 (document at Page No.84 of the Paper Book).

10. The learned Government Pleader shall further seek instructions as to who would be the Competent Authority in such matters if the Government Resolution dated 30/01/2014 is applicable.

(SMT.M.S.JAWALKAR, J)

(ANIL S. KILOR J)

RRaut..