



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

WRIT PETITION NO. 1713/2024

(MANOJ PURUSHOTTAM MALVI & OTHERS **VERSUS** NAGPUR MUNICIPAL CORPORATION
& OTHERS)

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

Court's or Judge's order

Shri P.S. Chawhan, Advocate with Shri P.J. Mehta, counsel for the petitioners.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : MARCH 11, 2024

The contention is, the petitioners are the occupants of the building in relation to which the demolition activity is undertaken by the respondent-Nagpur Municipal Corporation and accordingly the work order is issued to a contractor. It is claimed that the petitioners are not served with the notice in compliance with the order dated September 25, 2019 passed in Writ Petition No.2456 of 2017.

2. As far as above contentions are concerned, this Court already had an occasion to look into the issue as to whether there was deemed sanction and the construction carried out was in accordance with the building bye-laws.

3. In our opinion, the petitioners have an appropriate alternate remedy. The petitioner is taking recourse to the writ jurisdiction seeking execution of the order dated September 25, 2019 passed by the learned Single Judge in Writ Petition No.2456 of 2017.

4. That being so, in our opinion, the petition does not call for any interference in extraordinary writ jurisdiction. The writ petition therefore fails and dismissed as such. No costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)