



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

WRIT PETITION NO. 863 OF 2024

(Kamal Narayan Flat Owners Association vs. State of Maharashtra and others)

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

Court's or Judge's order

Mr. R.A.Gupte and Mr. R.B.Hingnekar, Advocates for the petitioner.
Mr. A.A.Madiwale, A.G.P. for respondent No.1.

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

DATE : FEBRUARY 13, 2024

Heard.

2) On 28/01/2016, the respondent No.1 State Government communicated the decision of staying the effect and operation of the notice dated 14/07/2015 issued under Section 54 of the Maharashtra Regional Town Planning Act, 1966 by respondent No.2, Nagpur Municipal Corporation. Such stay appears to have been granted pursuant to recommendations of the local Member of Legislative Assembly, as the reference to that effect could be noticed from the reference No.2 in the communication dated 28/01/2016. The said stay is informed to be continued till this date, as a sequel of which, respondent No.3 is informed to be enjoying illegal construction.

3) We have reason to believe that the stay which was granted is out of political intervention, as the order of granting such stay is without there being any reason.

4) That being so, we deem it appropriate, to direct the respondent No.1 State Government to decide the appeal preferred by the respondent No.3, against notice dated 14/07/2015 issued under Section 54 of the M.R.T.P. Act, 1966, as

expeditiously as possible and in any case, within a period of **four months** from the date of production of this order.

5) The petition stands disposed of.

6) We dispensed with the notice to the private respondents, as order passed is innocuous.

(**ABHAY J. MANTRI, J.)**

(**NITIN W. SAMBRE, J.)**