

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

**WRIT PETITION NO.1866/2024**

Chetan Harshad Shah and others

Vs.

Nagpur Municipal Corporation, through its Municipal Commissioner, Nagpur,  
Assistant Director, Town Planning and another

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

Court's or Judge's orders

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Shri A.A. Naik, Advocate for petitioners  
Shri J.B. Kasat, Advocate for respondent No.1  
Shri V.A. Thakare, AGP for respondent No.2

**CORAM : ANIL S. KILOR AND**  
**SMT. M.S. JAWALKAR, JJ..**  
**DATED : 18/03/2024**

Shri A.A. Naik, learned Counsel for petitioners submits that the construction made by the petitioners was declared as illegal and not as per the Development Control Rules, therefore, the revised plan was submitted which was rejected up to the Hon'ble Chief Minister in appeal.

2. It is submitted that, however, in the meantime, the earlier Development Control Rules were repealed and Unified Development Control and Promotion Regulations, for Maharashtra came into force and as per the provisions of the said regulations, the construction of the petitioners has become legal one and there is no illegal construction.

3. It is submitted that in view of the new regulations, the petitioners have again submitted revised plan for sanction, which is pending before the respondent authorities.

4. In the above backdrop, issue notice to the

respondents, returnable on 10/04/2024.

5. Shri Kasat, learned Counsel waives notice for respondent No.1- Municipal Corporation.

6. Shri V.A. Thakare, learned AGP waives notice for respondent No.2.

7. Considering the fact that now, there are new regulations and earlier development Rules came to be repealed and considering the statement made by learned Counsel for petitioners that as per new regulations, the construction is legal, the respondents are directed not to take any coercive action, till next date.

**JUDGE**

**JUDGE**

*R.S. Sahare*