



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

WRIT PETITION NO.1262/2021

Manoj Kumar Padamraj Modhsaraf and others Vs. Nagpur Municipal Corporation
and others and others

with

WRIT PETITION NO.5051/2023

The Association of Apartment Owners of Sadiqabad Condominium, Nagpur Vs. State
of Maharashtra

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

Court's or Judge's order

WP No.1262/2021

Mr. Amit D.Bhate, Advocate for petitioners

Mr. S.M. Puranik, Advocate for respondent no.4.

Mr. G.A.Kunte, Advocate for respondent no.5.

Mr. H.I.Kothari, Advocate for the intervenor.

WP No.5051/2023

Mr. H.I. Kothari, Advocate for the petitioner.

Mr. N.S.Rao, AGP for the respondent no.1.

Mr. S.M. Puranik, Advocate for respondent no.2

Mr.G.A.Kunte, Advocate for respondent no.3

CORAM : NITIN W. SAMBRE & M.M. NERLIKAR, JJ.
DATE : JULY 09, 2025.

1. Heard.
2. We deem it appropriate to quash and set aside the communication dated 13th January, 2021 which is impugned in the present petition as it is not only vague and devoid of specific reasons, but also adversely affects the petitioners. The said communication cancels the permission earlier granted to the petitioners to carry out certain construction, without affording them an opportunity of hearing or issuing any notice.
3. That being so, we permit the petitioners to appear before the Deputy Director of Town Planning, Nagpur Municipal Corporation, Nagpur on 21st July, 2025.

3. The said Authority, after hearing the petitioners and other stake holders may pass a reasoned order and communicate the same to the petitioners within a period of the six weeks thereafter.

4. The petition stands disposed of. No costs.

5. Consequent to the above, the Intervention Application (CAW NO.2442/2022 is also disposed of as we are granting liberty to the intervenor to appear before the said Authority.

WRIT PETITION NO.5051/2023

6. In view of the aforesaid order, Writ Petition stands disposed of. However, liberty to the petitioner to approach fresh in case if the order passed by the Deputy Director of Town Planning is adverse to the petitioner.

(M.M. NERLIKAR, J.)

(NITIN W.SAMBRE, J.)