



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

Writ Petition No. 3479 of 2025

[Deepak Pandurangant Akare ..vs.. Smt. Sudhatai w/o Shivdasant
Bondre and ors.]

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

Court's or Judge's orders

Ms. Sakshi Tiwari, Advocate for the petitioner

CORAM : ANIL L. PANSARE J.

DATED : 10-07-2025

Heard.

2. The challenge is to order dated 3-1-2025 passed below Exhibit 17 in R.C.S. No. 1336/2019 by 5th Joint Civil Judge Junior Division, Nagpur rejecting application filed by the petitioner to intervene in the matter.

3. The respondent no. 1 has filed suit against respondent nos. 2 and 3 challenging notice of removal of unauthorized construction. The petitioner appears to be yet another person, who is aggrieved by such construction. The trial Court, however, took note of the fact that the petitioner is neither neighbour nor has any legal right which is said to be infringed by way of said construction. The trial Court further noted that the addresses shown by the petitioner itself show that they are residents of different locality. The Court further noted that it is not the case of the petitioner that local authority failed to initiate action against respondent no. 1 – plaintiff, who has challenged the demolition notice issued by respondent no. 2. Thus, it appears that the petitioner has no nexus with the dispute under question.

4. Learned counsel for the petitioner failed to show that any cogent evidence was placed before the trial Court to

show that they are immediate neighbour of the plot where construction is being carried out or that their easementary or other rights are being infringed. That being so, I do not find any reason to interfere with the impugned order in supervisory jurisdiction under Article 227 of the Constitution. The petition is dismissed with no order as to costs.

(Anil L. Pansare, J.)

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