



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

WRIT PETITION NO. 2730 OF 2019

(Nagpur Municipal Corporation, Nagpur and others vs. Vilas s/o Ganesh Asarkar)

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

Court's or Judge's order

Mr. J.B.Kasat, Advocate for petitioners.
Mr. S.P.Khirsagar, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 13, 2025

- 1) Heard learned counsel for the respective parties.
- 2) Present petition is directed against the order dated 19/12/2018 passed by the District Judge-6, Nagpur in M.C.A. No.18/2018.
- 3) Learned counsel for the petitioners Corporation submits that the proceeding was instituted by the present respondent under the City of Nagpur Corporation (CNC) Act, 1948, but this Act was already repealed in 2012, therefore, the proceeding is not maintainable and the respondent herein can file an appeal under Maharashtra Municipal Corporations Act, 1949.
- 4) In view thereof, the order passed by the District Judge-6 is hereby quashed and set aside.
- 5) The respondent herein is at liberty to file the proceeding afresh before the competent Court under the Maharashtra Municipal Corporations Act, 1949. The Municipal Corporation, Nagpur shall maintain the status quo for a period of four weeks from today. It is made clear that after expiry of the

period of four weeks, the interim order of status quo stands vacated automatically without further reference to this Court.

- 6) The petition is disposed of in the above terms.

(SIDDHESHWAR S. THOMBRE, J.)