



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.1912/2025

Municipal Commissioner, Nagpur Municipal Corporation Nagpur .VS. Snehal
Developer & Builder, Nagpur through its Proprietor and Ors.

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

Court's or Judge's orders

Mr. J. B. Kasat, Advocate for petitioner.
Mr. A. K. Neware, Advocate for respondent Nos. 1 to 9.
Mr. H. R. Dhumale, A.G.P. for respondent Nos. 11 to 13.

CORAM : ANIL L. PANSARE, J.

DATE : APRIL 7, 2025

Heard for some time.

2. Respondent Nos.1 to 9 – plaintiffs filed suit against the petitioner seeking injunction, thereby restraining the petitioner from causing obstruction to the possession of the respondents over the suit property.

3. The suit arises out of provisions of the Land Acquisition Act, 1894. The land under question was acquired by the Nagpur Improvement Trust in the year 1965. The petitioner claimed that compensation was paid to the predecessor of the respondents at the relevant time. The petitioner further claims that possession of the land was taken over by the Nagpur Improvement Trust (NIT) and handed over to the Corporation in the year 1969.

4. The respondents claim that the acquisition was withdrawn and communication in the year 1995 to that effect was issued by the State Government to the NIT. It is also the case of respondents that their predecessor or they have not received compensation.

5. The respondents filed suit in the year 2016 on the ground that the petitioner got its name mutated in the revenue record, without following due process of law. The respondents apprehended action of dispossession at the hands of the petitioner. Accordingly, the suit came to be filed.

6. The Trial Court, having heard both sides, found that the respondents are in possession of the disputed property and accordingly protected the same.

7. I need not disturb the said finding because, I am informed that the issues have been framed and affidavit of chief-examination of first witness is recorded. The suit is now pending for cross-examination by the petitioner. In the circumstance, the purpose of filing petition will be served if parties are directed to cooperate with Trial Court to decide the suit expeditiously. Accordingly, following order is passed.

ORDER

(i) The parties shall cooperate with the Trial Court to dispose of Regular Civil Suit No.676/2016 finally. The parties shall not seek adjournment unless on extraordinary ground that too to the satisfaction of the Trial Court.

(ii) Needless to say that with cooperation of the parties, the Trial Court would decide the suit expeditiously.

(iii) With above observations, the writ petition is disposed of. No order as to costs.

(Anil L. Pansare, J.)