



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

WRIT PETITION NO.5909/2022

Shri Shrawankumar s/o Tikamdas Madnani

...Versus...

State of Maharashtra through Collector, Civil Lines, Nagpur and others

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

Court's or Judge's orders

Ms A.H. Dangre, Advocate for petitioner
Mr. B.M. Lonare, AGP for respondent No.1
Mr. J.B. Kasat, Advocate for respondent No.2

CORAM : SACHIN S. DESHMUKH, J.

DATE : 05/08/2025

1. The suit property, which is a subject matter of sanctioned development plan for city of Nagpur, wherein construction has been raised by the petitioner. By way of notice under Section 53 of the Maharashtra Regional and Town Planning Act, 1966, calling upon the documents in the shape of ownership, constructions permission and approved layout were directed to be produced, failing which, the action for raising illegal construction would be initiated, has been served upon the petitioner by the Municipal Corporation for removal of illegal construction. As such, the petitioner was to submit the details in that regard.

2. Raising an exception to the said notice, the petitioner has presented a suit for declaration and perpetual injunction. During the pendency of the said suit, an application was presented by the petitioner seeking certain documents in relation to the said notice. The documents so requested consist of the proceedings leading to issuance of

notice which has culminated into the issuance of the said notice, delegation of powers, education and qualification of the defendant Nos.3 and 4 (those are the officers of the Corporation) and the other relevant documents.

3. While opposing the said application, the Corporation strongly resisted it by stating that the attempt is to prolong the proceeding of the suit. It was also submitted that the documents in relation to proceeding and delegation of powers would be submitted, whereas, the other document prayed for, by the petitioner are really not relevant.

4. The Trial Court considering the fact that the documents, those are really relevant to the subject matter are already supplied. Therefore, further direction as prayed by the petitioner to supply the documents is not necessary and eventually rejected the application.

5. Considering the fact that the necessary documents are made available to the petitioner by the respondent-Corporation while rejecting the application presented by the petitioner and the said aspect is taken into account by the Trial Court, as such, no interference is warranted in the present petition. Resultantly, the writ petition is dismissed. No order as to costs.

(SACHIN S. DESHMUKH, J.)