



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

WRIT PETITION NO. 5782 OF 2025

GAJANAN S/O NANA GADWALE

...Vs...

THE STATE OF MAHARASHTRA, THR. SECRETARY, DEPARTMENT OF URBAN DEVELOPMENT, MUMBAI AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri Bhushan Dafle, Advocate for petitioner.
Shri S.M.Ukey, AGP for respondent(s)/State.

**CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.**

DATED : 06th OCTOBER, 2025.

Heard.

2. In this petition, the prayers made by the petitioner are as follows:-

“ii) quash and set aside the impugned orders dated 03.09.2025 and 25.09.2025 (Annexure-C & D) passed by the respondent no.2- Chief Officer, Municipal Council, Karanja (Lad), District Washim, in the interest of justice;

ii) during the pendency of instant writ petition, stay the effect and operation of impugned orders dated 03.09.2025 and 25.09.2025 (Annexure-C & D) passed by the respondent no.2- Chief Officer, Municipal Council, Karanja (Lad), District Washim, in the interest of justice;

iii) Grant ex-parte order in terms of prayer clause (ii);

iv) Saddle the cost of instant petition on the respondents;

v) Grant any other relief deemed fit and proper in the facts and circumstances of this case, may also be granted. ”

3. The impugned orders were issued to the petitioner for initiating the action under Section 328 of the Maharashtra Municipal Councils, Nagar Panchayats and

Industrial Townships Act, 1965. The petitioner is not disputing that, the letter dated 03/09/2025 was received by him. Admittedly, no reply was submitted by the petitioner to said letter.

4. There is a bare statement that, 71 plots were sold by the petitioner 17 years back and all the facilities including those the street lights and drainage lines were provided to the purchasers of those plots in the layout of the petitioner. However, nothing is produced on record in support of such submissions or the pleadings. There are no photographs, no sale deeds of those 71 plot purchasers.

5. Thus, the pleadings are without support of any documentary evidence or sufficient material. Hence, the same cannot be accepted and therefore, no relief as prayed by the petitioner can be granted.

6. Accordingly, the petition is **dismissed** with liberty to the petitioner to file afresh along with the necessary documents and material in support of the pleadings.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)