



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

WRIT PETITION NO. 1677 OF 2024

(M/s Deshmukh Trading Company Pvt. Ltd., Nagpur Thr. its Director
Vs.
State of Maharashtra, Thr. its Secretary, Rural Development
Department Mantralaya, Mumbai & Ors.)

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

Court's or Judge's orders

Mr. N.B. Bargat, Advocate for the Petitioner.
Mr. S.M. Ukey, Addl.GP for the Respondents/State.

CORAM: AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATED : 6th MARCH, 2025

1. Heard.
2. The Petitioner who is a subsequent purchaser of the land of Survey No.66/2 which are numbered as S.nos.34/1 and 34/2 at Mouza Wanadongri, Tahsil Hingna, District Nagpur seeks a declaration that the proceedings in ULC Case No.2169/76 stands lapsed on account of the repeal.
3. The reply filed by the State on 19.06.2024 in para 4(g), makes a specific averment, that possession of the surplus land is not found to be taken as per the provisions of Sections 10(3) and 10(5) of the ULC Act, 1976. That being so, the requirement of provisions of Section 3 of the Urban

Land (Ceiling and Regulation) Repeal Act, 1999 do not stand satisfied, on account of which, we hold that the proceedings in ULC Case No.2169/76 stands lapsed on account of the repeal.

4. The Petition is accordingly **allowed** in the above terms. No costs.

5. Pending application/s, if any, shall stand disposed of accordingly.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)