



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

WRIT PETITION NO. 7502 OF 2024

(Anand S/o Purshottam Bondre & Ors.

Vs.

State of Maharashtra, Thr. Collector, Buldhana & Ors.)

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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Mr. Vicky D. Ruparelia, Advocate a/w Mr. Bhavin Suchak, Advocate for the Petitioners.
Mr. J.Y. Ghurde, AGP for the Respondent/State.
Mr. P.P. Deshmukh, Advocate for the Respondent No.3.
Ms. S.R. Buddhe, Advocate h/f Mr. R.G. Kavimandan, Advocate for the Respondent No.7.

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

DATED : 21st APRIL, 2025

1. Heard.

2. The Petition questions the communication dated 22.08.2024 (page 89), whereby the Sanad granted to the layout on Survey No. 25, Gat No. 66 situated at Mouza Chikhli has been cancelled by the Chief Officer of Municipal Council, Chikhli. While doing so, the Chief Officer has also granted stay to the further construction.

3. Though Mr. Deshmukh, learned Counsel for the Respondent No.3, seeks time, however, what we find is that since the Sanad is issued by the Revenue Authorities in exercise of the powers under the Maharashtra Land Revenue

Code, 1966 the Chief Officer, Municipal Council, Chikhli/Respondent No.3 would have no jurisdiction, to cancel the same. The impugned communication dated 22.08.2024, insofar as it relates to cancellation of the Sanad by the Respondent No.3, therefore cannot be sustained. Insofar as the stay granted to the further construction therein, it is contended, that no show cause notice was issued. In any case, so far as the stay is concerned, it is open for the Petitioners to apply for its vacation.

4. In the result, the Petition is **partly allowed** by quashing and setting aside the impugned communication dated 22.08.2024 (page 89) insofar as it relates to cancelling the Sanad in respect of the layout by the Respondent No.3.

5. It is also made clear, that insofar as the stay granted to the construction by the Chief Officer/Respondent No.3 is concerned, the Petitioners can approach the Chief Officer/Respondent No.3 and apply for its vacation.

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

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)