



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

WRIT PETITION NO. 3806 OF 2025

Pravin Bhaskarrao Borkute ... PETITIONER

Versus

Nagpur Improvement Trust & Anr. ... RESPONDENTS

Mr. K. R. Gour, Advocate for Petitioner.

CORAM : PRAFULLA S. KHUBALKAR
DATE : JULY 22, 2025.

ORDER

. Heard Mr. K. R. Gour, learned Counsel for the Petitioner.

2. The limited grievance of the Petitioner is that while filing a suit challenging Notice under Section 53 of the Maharashtra Regional and Town Planning Act, 1966, when the Petitioner submitted application to file the civil suit by seeking exemption under Rule 12 of the e-Filing Rules of the High Court of Bombay, 2022, the Civil Judge Senior Division, Nagpur passed the order dated 19/7/2025 directing the Petitioner/Plaintiff to file the suit by e-Filing with liberty to file un-scanable documents physically before the concerned court to whom the matter would be allotted. He submits that in

view of the urgency in the civil suit, Plaintiff ought to have been granted exemption from e-Filing in accordance with Rule 12 of the Rules. He submits that there are huge maps and building plans, on which he wants to rely while contesting the suit and during the course of hearing on application for temporary injunction, and therefore, the exemption under Rule 12 ought to have been granted.

3. Perusal of Rule 12 shows that it deals with certain situations where exemption from e-Filing can be granted. The impugned order dated 19/7/2025 is passed by the Court directing Plaintiff to file the suit by e-Filing and also with liberty to file un-scanable documents physically before the concerned court to whom the matter will be allotted. It thus, appears that the impugned order is passed in accordance with Rule 12 of the Rules and I do not find any perversity with the impugned order. However, in view of the contentions canvassed by the Petitioner about urgency to file the civil suit and application for temporary injunction and need to point out the maps and building plans, which are un-scanable because of their size and shape, it would be in the interest of justice to permit the Petitioner/Plaintiff to file the civil suit physically in addition to e-Filing.

4. The Petitioner/Plaintiff is permitted to file the suit as well as application for temporary injunction by way of e-Filing as per order dated 19/7/2025 and also by way of physical filing and the trial court may consider the copy of suit and the application for temporary injunction which would be filed physically. However, subsequent pleadings and applications be filed by way of e-Filing.

5. Writ Petition is disposed of in above terms.

6. Parties to act upon the authenticated copy of this order.

(PRAFULLA S. KHUBALKAR, J.)

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