



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 15113 OF 2025

Udhav Nanasaheb Mhaske
VERSUS
The State Of Maharashtra And Others

Mr. G. R. Syed, Advocate for petitioner
Mr. A. P. Bhandari, Advocate for respondent No. 2
Ms. N. B. Kamble, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 11th February, 2026

ORDER (PER : Hiten S. Venegavkar, J.) :-

1. Present petitioner has filed for seeking order of restraining against respondent No. 2 from laying drainage line from Gat No. 42 situated at Nakshatra Wadi, Chh. Sambhajinagar, Tq. And Dist. Chh. Sambhajinagar.

2. Learned Advocate for petitioner submits that notice has been issued to the petitioner on 03.10.2025 calling upon the petitioner to submit the documents mentioned therein for the purpose of carrying out the work of laying down drainage line to the land belonging to the petitioner being Gat No. 42. In pursuant to the said notice, the petitioner, on 07.10.2025, submitted all the documents to the Executive Engineer (Drainage), Municipal Corporation, Chh. Sambhajinagar. Along with the

said document, he has also submitted these written submissions to the authorities. However, the petitioner apprehends that the authorities without considering his representation and his documents and without giving any compensation to him, proceed with the work of laying down drainage line through his land. He categorically makes a statement that he has no objection for the work of laying down of drainage line through his Gat No. 42.

3. Learned counsel appearing for the corporation, Mr. Bhandari, submits that the notice is varbatim clear that if all the necessary documents to the satisfaction of the authorities are submitted showing that the petitioner is owner and possessor of the said land then the compensation accordingly will be determined and steps will be taken as per provisions of the Maharashtra Corporations Act, 1949. He further submits that the petitioner has not submitted documents such as sanction layout and measurement map along with the construction permission of the authorities till date.

4. The learned Advocate for the petitioner makes a statement that these three documents will be submitted to the authorities within a period of one week from today.

5. Upon receipt of the said documents, the authorities will

proceed to decide in accordance with the notice dated 03.10.2025 and if the petitioner are found illegible, further steps in accordance with the appropriate provisions of the Maharashtra Corporations Act, 1949 will be taken by the respondents authorities within further period of six months of the date of submission of the documents by the petitioner. Accordingly writ petition stands disposed of.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi