



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

WRIT PETITION NO.862 OF 2026

[Shri Akshay S/o Gajanan Kulkarni Vs. Nagar Parishad, Khamgaon, through its Chief Officer]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.

Court's or Judge's order

Shri R.A. Bhandakkar, Counsel for Petitioner.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 2nd FEBRUARY, 2026.

1. Heard Shri R.A. Bhandakkar, learned counsel for the petitioner.
2. The petitioner has approached this Court praying for the following reliefs :

“A. Direct the Respondent to take actions against the officers responsible for acting contrary to the direction of the Hon’ble Supreme Court in Re: Directions in the matter of demolition of structures 2024 SCC OnLine SC 3291;

B. Direct the Respondent to pay the petitioner an amount of Rs.10,00,000/- towards cost and mental harassment;

C. During the pendency of the present petition, direct the respondent to maintain Status Quo in respect of the disputed premises;

D. Grant any other direction or pass any other order that this Hon’ble Court may deem fit in the facts and circumstances and in the interest of justice.”

3. Perusal of prayer clause (B) reveals that the petitioner is seeking direction to the respondent to pay an amount of Rs.10,00,000/- towards the cost and mental harassment. It is also revealed from the submissions made by the learned counsel for the petitioner that Regular Civil Suit No.921 of 2025 is pending on the file of the learned Civil Judge, Senior Division, Khamgaon, pertaining to the subject-matter involved in the present petition.

4. The petitioner can very well seek redressal of his grievance, so far as prayer clause (B) of the petition is concerned, by amending the pleadings in the suit and prayer clauses therein.

5. So far as prayer clause (A) of the petition is concerned, the petitioner has not yet approached the respondent with the said prayer for taking action against the officers of the respondent-Municipal Council, Khamgaon, for acting contrary to the directions of the Hon'ble Supreme Court in *Re- Directions in the matter of demolition of structures*, reported in *2024 SCC OnLine SC 3291*.

6. In view of above, we dispose of the present petition with a direction to the respondent-Municipal Council, Khamgaon, to treat the present petition as a representation submitted by the petitioner for necessary action, as per prayer clause (A) of this petition. The representation shall be decided by the respondent-Chief Officer, Municipal Council, Khamgaon, within a period of eight weeks from the date of receipt of the representation. While deciding the representation, the respondent shall consider the law settled by the Hon'ble Supreme Court in *Re: Directions in the matter of demolition of structures*, reported in *2024 SCC OnLine SC 3291*. The decision taken thereupon shall be informed to the petitioner within a period of two weeks thereafter.

7. Needless to mention that we have not observed anything on the merits of prayer clause (B) regarding compensation.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)