



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
CIVIL APPLICATION NO.622 OF 2026
IN
WRIT PETITION NO.1349 OF 2025

Shivalamal S/o. Nasumal Shughwani and Others

Vs.

State of Maharashtra and Others

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

Dr. R.S. Sundaram, Advocate for the Applicants/Petitioners.
Ms. K.H. Bhondge, AGP for the Respondent Nos.1 to 3/State.
Mr. M.I. Dhattrak, Advocate for Respondent No.4.
Mr. M.P. Khajanchi, Advocate for Respondent No.5.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 11th MARCH, 2026

1. Heard learned counsel for the petitioners as well as the learned counsel for the respondents.
2. This is an application for amendment of the petition. By this application, the applicants/petitioners propose to amend the memorandum of petition to add certain subsequent events with respect to the Resolution dated 04.02.2026 passed by the elected members of the Municipal Council, Wani.
3. Learned counsel for the applicants submits that the Resolution passed by the Municipal Council, Wani is with respect to the subject matter involved in the instant petition and is related to the rights of the shopkeepers, who are the petitioners in the instant petition. Although, the application is opposed by the respondents, considering the fact that the said resolution is related to the controversy involved in the matter, I find it necessary to allow the amendment for complete and effective adjudication of the controversy involved in the petition.

4. In view of above, the civil application is **allowed**. Petitioners are permitted to carry out the necessary amendment within a period of one week from today.

CIVIL APPLICATION NO.1183 OF 2025

5. This is an application filed by the petitioners for amendment of the petition. By this application, the petitioners seek to amend the petition to incorporate the avernments about the Government Resolution dated 15.05.2025 and to add "State of Maharashtra, through Secretary, Revenue and Forest Department, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai-400032" in the array of parties as respondent No.6. Petitioners also seek to add a prayer clause as prayer clause (1A) to the petition.

6. The application is strongly opposed by the respondent by filing their respective replies.

7. It is to be seen that by this application, the petitioners seek to amend the avernments about the Government Resolution dated 15.05.2025, which is issued under the Special Abhay Yojana 2025 regarding regularization of free hold residential and commercial lands of Sindhi displaced persons notified areas of the State Government. Learned counsel for the petitioners has invited my attention to the Government Notification dated 24.01.1973, which is referred in the said Government Resolution dated 15.05.2025 and pointed out that the schedule attached to the Notification includes the name of "Refugee Colony, Wani, Dist. Yavatmal". In view of this notification, he submitted that the avernments with regard to the Government Resolution dated 15.05.2025 are

necessary for deciding this petition. I find that there is a need to consider the contentions in this regard.

8. It is also to be seen that the controversy involved in the instant petition is with respect to the shops occupied by the refugees of the Sindhi Community and thus, in view of the said Government Resolution, the contention of the petitioner that their rights are also crystallized, need to be considered.

9. In view of this, the application for amendment need to be allowed and accordingly, the civil application is **allowed**. Petitioners are permitted to carry out the necessary amendment within a period of one week from today.

WRIT PETITION NO.1349 OF 2025

10. Petitioners are directed to supply the copies of amended petition to the respondents, within a period of one week after carrying out the amendments.

11. Learned AGP waives service of notice on behalf of newly added respondent i.e. respondent No.6 - State of Maharashtra, through Secretary, Revenue and Forest Department, Madam Cama Road, Hutatma Rajguru Chowk, Mantralaya, Mumbai-400032.

12. Parties are entitled to file their respective affidavits to the amended petition, on or before the next date.

13. List the petition on **26.03.2026**.

14. Interim relief to continue till then.

(PRAFULLA S. KHUBALKAR, J.)