

1/2



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

PUBLIC INTEREST LITIGATION NO.01 OF 2026

AASIF KHAN DILDAR KHAN PATHAN AND ANOTHER

VS

THE STATE OF MAHARASHTRA, THR. SECRETARY, URBAN DEVELOPMENT
DEPT., MUMBAI AND ORS.

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

Court's or Judge's orders

Mr. B.G. Kulkarni, Advocate for the petitioner/s
Mr.N.S. Rao, AGP for the respondent/State

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

DATE : 08.01.2026

1. Heard the learned counsel for the petitioners.
2. The petitioners have approached this Court with various prayer clauses; however, the principal relief sought is under prayer clause (i), whereby a declaration is sought that the construction and development, including the proposed leasing/auction of 78 commercial shops on Government land bearing Survey No. 19, Mouza Mehkar, Taluka Mehkar, District Buldhana, is illegal. It is contended that the said action is in breach of the Collector's allotment order dated 15.09.2012, the possession receipt dated 24.09.2012, and the registered lease deed executed in favour of the Municipal Council. Consequently, it is urged that the construction of the said commercial shops is illegal and *void ab initio*.
3. However, the aforesaid grievance raised by the

petitioners can be taken care of by directing the respondent No.4-Collector, District Buldhana to treat this PIL as a representation made by the petitioners to him.

4. In that view of the matter, the respondent No.4 is directed to treat this PIL as a representation made by the petitioners to him and decide the same after considering the grounds raised in the PIL and after hearing the petitioners within stipulated period of four weeks from the date of the appearance of the petitioners.

5. The petitioners to appear before the respondent No.4-Collector, Buldhana on 12.01.2026 at 11.00 a.m.

6. The learned counsel for the petitioners undertakes to furnish copy of this order and the present PIL along with all the annexures to the concerned respondent No.4.

7. The decision taken shall be communicated to the petitioners within two weeks from the date of such decision.

8. The petitioners are at liberty to approach this Court as and when occasion arises.

9. Accordingly, the Public Interest Litigation is **disposed** of in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)