



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

WRIT PETITION NO.489 OF 2026

[Chandresh S/o Deorambhai Taunak and others Vs. NIT, Nagpur, through its Chairman, and another]

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

Court's or Judge's order

Shri Adarsh Baheti, holding for Shri S.S. Sarda, Counsel for Petitioners.

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

DATE : 20th JANUARY, 2026.

1. Heard Shri Baheti, learned counsel for the petitioners.
2. The petitioners have approached this Court seeking challenge to the impugned communication dated 24th November, 2025 issued by the respondent No.2-Building Engineer (West), Nagpur Improvement Trust, Nagpur, thereby rejecting the application of the petitioners for amalgamation of Plot Nos.87 and 88 at Khasra No.158/1, Mouza Somalwada, Samaj Ekta Co-operative Housing Society, Nagpur. The sole reason stated in the impugned communication dated 24th November, 2025 is that the original owner of the land, Shri Hadke, has filed Writ Petition No.5060 of 2014 against said Samaj Ekta Co-operative Housing Society before this Court and there is stay operating in the aforesaid writ petition, thereby prohibiting all the activities of regularization and allied activities pertaining to Khasra No.158/1.
3. The learned counsel for the petitioners submits that the petitioners have verified and found that though Shri Hadke has filed the aforesaid Writ Petition No.5060 of 2014 before this Court, this Court has not granted any stay and has not passed any order restricting Nagpur Improvement Trust from carrying out development over Khasra No.158/1. The petitioners have made a specific statement on oath in this regard in Ground No.(i) at Page No.10 of the present petition.

4. In view of above, we are of the considered opinion that the reason of rejection by the respondent No.2-Building Engineer (West), Nagpur Improvement Trust, Nagpur is unsustainable and accordingly, we quash and set aside the impugned order dated 24th November, 2025 and remand the matter back to the respondent No.2 to decide the application at record Page No.60 (Annexure-10) for amalgamation of Plot Nos.87 and 88 at Khasra No.158/1 afresh in view of the fact that there is no stay operating in Writ Petition No.5060 of 2014. The said decision shall be taken by the respondent No.2 within a period of eight weeks from the date of receipt of the order of this Court. The decision taken thereupon shall be communicated to the petitioners within a period of two weeks thereafter.

5. With these directions, the petition is disposed of.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)