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

WRIT PETITION NO.563 OF 2026

ROSHNI PRASHANT REBHANKAR

VS

THE STATE OF MAHARASHTRA, THR. THE 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. G.K. Mundhada, Advocate for the petitioner/s
Mr. N.S. Rao, AGP for the respondent No.1/State
Mr. Akhilesh Potnis, Advocate for the respondent No.2

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

DATE : 21.01.2026

1. Heard.
2. The petitioner is the owner of Survey No.357/2, total area admeasuring 0.40 HR of village Datala, Tq. and Dist. Chandrapur. The aforesaid land was reserved for the Police Department vide Reservation No.133 in the Regional Development Plan of the Chandrapur-Ballarpur Region published by the Urban Development Department, Government of India. The aforesaid Reservation was declared to have lapsed vide notification issued under Section 127(2) of the Maharashtra Regional and Town Planning Act, 1966, dated 29.07.2025, which is at record Page 17 (Annexure-A).
3. The learned counsel for the petitioner submits that after the aforesaid reservation was declared to have lapsed,

the petitioner, upon obtaining prior permission, developed the said land.

4. However, respondent No.3-Assistant Director of Town Planning, MHADA, Chandrapur has issued the impugned notice dated 29.12.2025, calling upon the petitioner to demolish the structure standing on the aforesaid land on the ground that the said land is reserved for the Police Department under the Reservation No.133. On that basis, it has been alleged that the petitioner has carried out the construction unauthorisedly and without obtaining prior permission as required under law.

5. The learned counsel for the petitioner has pointed out that all the aforesaid facts and permission sought by the petitioner, were pointed to the respondent No.3 by way of a detailed reply dated 30.12.2025, which is at record Page 52 (Annexure-I). The learned counsel for the petitioner submits that no decision is yet taken upon the aforesaid reply in response to the impugned notice dated 29.12.2025.

6. In view of the above, we dispose of the present petition with direction to the respondent No.3 to consider the submissions in the reply dated 30.12.2025 submitted by petitioner and to follow the directions issued by the Hon'ble Supreme Court of India *directions in the matter of Demolition of Structures, In re*, (Writ Petition (Civil)

No.295 of 2022 and other connected matters), reported in (2025) 5 SCC 1, which is on record at Page 55 (Annexure-J), and to decide the same within a period of eight weeks from the date of receipt of this order.

7. The learned counsel for the petitioner undertakes to furnish copy of this order to the respondent No.3 within two weeks from today.

8. The respondent No.3 shall grant personal hearing to the petitioner before passing the final order.

9. It is made clear that if the final order is adverse to the petitioner, the same shall not be acted upon for further period of 15 days thereafter, so that the petitioner can challenge the said order.

Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)