



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

WRIT PETITION NO.1272 OF 2026

[Mrs. Maya W/o Shyam Agrawal Vs. The State of Maharashtra and others]

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

Court's or Judge's order

Shri Shadan T. Khan, Counsel for Petitioner.

Shri P.P. Pendke, Assistant Government Pleader for Respondent No.1.

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

DATE : 6th MARCH, 2026.

1. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for the respondent No.1-State.
2. The petitioner is the owner of a house property situated at Plot No.395, 'Ramwadi', Model Mill Square, Gadikhana, Mahal, Nagpur. The contention is that the aforesaid structure is in a dilapidated condition and accordingly the petitioner had approached the respondent No.2-Municipal Commissioner, Nagpur Municipal Corporation, Nagpur, with a representation for initiating action under Section 264 of the provisions of the Maharashtra Municipal Corporations Act, 2012. In view of such representation, the respondent No.2-Municipal Commissioner had directed the petitioner to submit a structural stability report of the aforesaid property.
3. Shri Shadan Khan, learned counsel for the petitioner, has invited our attention to the structural audit report at record page no.26 (Annexure-C) pointing out that the aforesaid building is structurally unsafe for residential use. The report is dated 15th July, 2024. The learned counsel submits that on the basis of such report, the notice under Section 264 of the Maharashtra Municipal Corporations Act was issued by the respondent No.2-Municipal Commissioner on 29th August, 2024, which is at record

page no.71 (Annexure-E). However, the respondent No.2 has not taken the aforesaid notice to its logical end.

4. In view of above, we dispose of the petition with a direction to the respondent No.2-Municipal Commissioner, Nagpur Municipal Corporation, Nagpur, to take the aforesaid notice dated 29th August, 2024 issued under Section 264 of the Maharashtra Municipal Corporations Act to its logical end. The respondent No.2 is further directed to decide the aforesaid notice in accordance with the scheme, as postulated under Section 264 of the aforesaid Act, and after granting an opportunity of hearing to the petitioner so also Shri Wamanrao Borkar, the resident of the first floor of the aforesaid building in question, within a stipulated period of four weeks from the date of receipt of this order. The decision taken thereupon shall be communicated to the petitioner within a period of two weeks thereafter.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)