



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

**WRIT PETITION NO.1539 OF 2026**

[Shubham Ravindra Kapkar and Another ..Vrs.. Municipal  
Commissioner, Nagpur 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. S. K. Kale, Advocate for Petitioners.

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

**DATE : 18<sup>th</sup> FEBRUARY, 2026.**

. Heard Shri. S. K. Kale, learned counsel for the petitioners.

2. The contention is that the respondent No.4, being agitated by the fact that the petitioners had filed Regular Civil Suit No.1398 of 2025, before the learned 4<sup>th</sup> Joint Civil Judge Junior Division, Nagpur, wherein an injunction is granted against respondent No.4, had lodged a baseless complaint against the petitioners on 30.01.2026 with respondent Nos.1 to 3, alleging that the petitioners are running an illegal factory and had encroached upon approximately 4 feet of public place.

3. Shri. Kale, learned counsel for the petitioners, submits that the aforesaid allegations are completely false and baseless. The petitioners are running the aforesaid business within the four corners of the law, without committing any encroachment by them. However, respondent No.3, acting upon such complaint, had issued notices under Sections 239, 240, and 241 of the Maharashtra Municipal Corporation Act, 1949, and has continued to issue such notices on repeated occasions. The petitioners have already submitted their detailed reply to the respondent No.3, which is at record page No.28 (Annexure –

P-8). However, the said reply has not been considered and no decision has been taken thereon till date.

4. In view of the above, we dispose of the present writ petition with a direction to respondent No.3 - Deputy Engineer, Satranjipura, Zone No. 7, Nagpur Municipal Corporation, Nagpur, to consider the reply filed by the petitioners, which is at record Page No.28 (Annexure - P-8), so also the contentions raised in this petition and decide the same within a stipulated period of eight weeks from the date of receipt of this order.

5. The petitioners undertake to produce a copy of this order alongwith a copy of the present writ petition before respondent No.3 for its necessary consideration and decision. The decision taken thereupon shall be communicated to the petitioners, within a period of two weeks from the date of such decision.

6. The present writ petition is, accordingly, disposed of.

(RAJ D. WAKODE, J.)      (ANIL S. KILOR, J.)