



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

WRIT PETITION NO.1739 OF 2026

SMT. PUJA W/O KRISHNA SONEKAR VS. NAGPUR MUNICIPAL CORPORATION, NAGPUR AND OTHERS

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

Court's or Judge's orders

Ms Ashwini Athalye, Advocate for the petitioner/s
Ms. Sangeeta Jachak, Advocate for the respondent Nos.1 to 3/Corporation
Ms Khan, learned AGP, for the respondent No.4/State

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

DATE : 24.02.2026

1. Heard.
2. Considering the urgency involved in the present matter, the learned counsel for the petitioner, at 10:30 a.m., sought leave to file across the Bar the present petition. Permission having been granted, the present writ petition is accordingly taken up for hearing.
3. The learned counsel for the petitioner has invited our attention to the notice dated 19.02.2026 regarding demolition of the alleged unauthorized house construction of the petitioner.
4. The contention is that the respondents are seeking to demolish the residential house of the petitioner on the allegation of being unauthorized construction.
5. Ms Jachak, learned counsel for the respondent No.1 to 3, submits that the notice was issued to the petitioner under Section 53 of the Maharashtra Regional and Town Planning Act, 1966, (For short "the MRTP Act").
6. The learned counsel for the petitioner submits that, in

compliance with the aforesaid notice, the petitioner had already submitted an application seeking regularization of the concerned construction. However, the said application for regularization came to be rejected by the Nagpur Municipal Corporation on 05.02.2025 (page 33).

7. The learned counsel for the petitioner submits that the petitioner has an efficacious statutory remedy available to challenge the aforesaid order of rejection under Section 47 of the MRTP Act, and that the petitioner is in the process of filing the said statutory appeal.

8. However, it is contended that if the petitioner's house is demolished today, the statutory remedies available in law would be rendered infructuous. Therefore, it is urged that an emergent interim order is required to be passed in the present writ petition to protect the subject property pending availing of the statutory remedy.

9. Accordingly, the present writ petition is **disposed of**, with liberty to the petitioner to avail such appropriate remedy as may be available under the law, within one week from today.

10. In the meantime, the respondents, and in particular respondent No.4-Deputy Commissioner of Police, Special Branch, Nagpur City, are hereby directed not to take any coercive action pursuant to the notice dated 19.02.2026 (Page 34).

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)