



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

WRIT PETITION NO. 1846 of 2026

Gurmeet Singh s/o Gurucharan Singh Bamrah

vs.

Nagpur Improvement Trust, through its Divisional Officer, Nagpur.

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

Court's or Judge's Order

Mr.Sailesh S. Sitani, Advocate for petitioner.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.

DATE :- 27th FEBRUARY, 2026.

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Heard Shri Sailesh Sitani, the learned counsel for the petitioner.

2. The contention is that the petitioner is lawful owner and in possession of Plot No. 108 (South) situated in Misal Layout, Mouza Indora, Tahsil and District Nagpur. The adjoining plot owner namely Shri Sukhbir Trilok Singh Babra is owner and in possession of Plot No.108 (North) in the same layout. Shri Babra started construction over his plot; however, while doing so, he has allegedly carrying out illegal construction without leaving the specified marginal spaces between the two plots and same is in violation of the orders passed by this Court.

3. In view of above, the petitioner on 06.03.2025 submitted a representation to the respondent-Nagpur Improvement Trust(NIT) pointing out the aforesaid unauthorized construction. After repeated representations of the petitioner, on 22.08.2025 the respondent-NIT issued a notice under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966 (for short, 'the Act of 1966') to Shri Sukhbir Trilok Singh Babra. In spite of service of such notice, the recipient of the aforesaid notice has neither removed the illegal construction nor

stopped the ongoing construction and has now completed the aforesaid construction. Therefore, the petitioner on 15.12.2025 has again submitted a representation to the respondent-NIT pointing out such non-compliance. The aforesaid representation is at record page no. 17-Annexure-D.

4. Shri Sitani, the learned counsel, submits that inspite of passage of more than two months period, the respondent-NIT has done nothing in the matter.

5. In that view of the matter, we dispose of the writ petition with a direction to the respondent-NIT to decide the aforesaid representation dated 15.12.2025 and to take notice dated 22.08.2025, which is at record page no.15-Annexure-C, to its logical end in accordance with law after granting opportunity of hearing to all the necessary parties, more specifically to Shri Sukhbir Trilok Singh Babra, to whom notice under Section 53(1) of the Act of 1966 was issued, within a period of eight weeks from the date of receipt of copy of the order of this Court. Decision taken thereupon shall be communicated to the petitioner within a period of two weeks from the date of such decision.

6. The petitioner undertakes to produce the copy of this order before the respondent - NIT within a period of one week from today.

7. With these directions, the writ petition is disposed of.

8. List the matter for reporting compliance of this order on **12.06.2026**

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)