



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

WRIT PETITION NO. 2352 OF 2026

Dinesh Budhayya Bansi

.Vs.

Divisional Commissioner, Amravati and others

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

Court's or Judge's orders.

Mr Vikky Gokhale, Advocate for petitioner/s

Mr P. P. Pendke, AGP for respondent Nos.1 and 2/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.
DATED : 23rd MARCH, 2026.

Heard learned counsel for the petitioner and
learned AGP for respondent Nos. 1 and 2/State.

2. The petitioner, who is running a pan shop in the
Laxminarayan Complex, has approached this Court pointing
out the inaction on the part of the respondents more
specifically respondent No.3-Chief Officer, Municipal
Council, Daryapur.

3. The respondent Nos. 4 and 5, who had
constructed the aforesaid commercial complex in the year
1993, according to the petitioner, have violated the norms of
the construction and the sanction plan and accordingly,
violated the provisions of Section 44 of the Maharashtra
Regional and Town Planning Act, 1966.

4. The learned counsel for the petitioner submitted
that in view of the aforesaid violation, the complaint was
lodged by the petitioner on 03.10.2022 with the respondent
No. 3. However, respondent No. 3 has not acted upon such

complaint nor has complied the directions issued by the respondent No.2-Collector, Amravati.

5. Learned counsel for the petitioner has invited our attention to the communication dated 17.04.2023 issued by the respondent No.2-Collector, Amravati thereby pointing out that he has already taken the cognizance of such illegal construction at the behest of the respondent Nos. 4 and 5 and has directed the respondent No.3 to conduct an inquiry and to submit the report to the respondent No.2-the Collector for further necessary action.

6. Learned counsel for the petitioner further submits that inspite of such direction, even after passage of almost more than three years now, the respondent No. 3 has done nothing in the matter nor submitted the report to the respondent No.2, as directed in communication dated 17.04.2023.

7. In view of the above, we direct the respondent No. 3 to decide the complaint dated 03.10.2022, submitted by the petitioner.

8. The respondent No.3 is further directed to treat the present writ petition as a representation and to decide the same in accordance with law and the grounds raised in the present writ petition.

9. The respondent No.3 is directed to grant an opportunity of hearing to the petitioner so also to respondent Nos. 4 and 5 before arriving at any such decision.

10. The entire exercise shall be completed by the respondent No.3 within a period of eight weeks from the date of production of order of this Court.

11. The petitioner undertakes to produce copy of the present writ petition and this order before respondent No. 3 within a period of two weeks from today.

12. The decision taken thereupon shall be communicated to the petitioner within a period of two weeks from the date of decision.

The writ petition stands **disposed of**, accordingly. Pending applications, if any, also stand disposed of. No order as to costs.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata