



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

PUBLIC INTEREST LITIGATION NO. 149 OF 2018
WITH
CIVIL APPLICATION NO. 312 OF 2026
IN

PUBLIC INTEREST LITIGATION NO. 149 OF 2018
MOHAMMAD ALIM MOHAMMAD TAHIR

Vs.

THE STATE OF MAHARASHTRA, URBAN
DEVELOPMENT DEPARTMENT, THR. THE
PRINCIPAL SECRETARY, MUMBAI 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. Chinmay S. Dharmadhikari and Shail D. Pagay, Advocate for the
Petitioner.

Mr. S. S. Hulke, AGP for the State/Respondent Nos.1 to 3.

Mr. Kuldeep P. Mahalle, Advocate for Respondent No.5.

Mr. Vijaykumar Paliwal, Advocate for Respondent Nos.6 to 11.

Mr. R. D. Karode, Advocate for Respondent No.12.

CORAM : URMILA JOSHI PHALKE AND
NIVEDITA P. MEHTA, JJ.

DATE : 27th APRIL, 2026.

CIVIL APPLICATION NO. 312 OF 2026 IN PUBLIC INTEREST
LITIGATION NO. 149 OF 2018

1. By this application, the applicant is seeking permission to
withdraw the present Public Interest Litigation (PIL).

2. Heard learned counsel for the petitioner, who submitted
that the petitioner is an elected councilor of Municipal
Corporation, Mehkar. He preferred this PIL with a prayer that
the exchange deed dated 04.09.2018 be quashed and set aside
as the same is in contravention to resolution No.15 dated
15.04.2017 passed with respondent No.1.

3. By order dated 05.12.2018, this Court issued the notices to the respondent for final disposal of the matter and by order dated 05.12.2018, by way of an ad-interim relief, directed no third party interest shall be created in the land, nor any developmental activities shall be carried out on it. He specifically invited our attention towards para No.3 of the application and submitted that due to the pendency of the present PIL, developmental activities and projects on the subject land have remained stalled or adversely affected. Therefore, upon due to consideration, the petitioner has come to realization that continuation of the present PIL for a mere 0.02 Ha of land, had inadvertently had a detrimental effect over the proposed development works in the locality. He further mentioned in the application that subject land is reserved for Children's Park, Kindergarten, Community Hall etc., and the only sufferers of the stall development are the residents of the locality and therefore, he is seeking withdrawal of the present PIL.

4. Learned counsel for the respondents has no objection for the same.

5. In view of that, Public Interest Litigation No. 149 of 2018 is disposed of as withdrawn.

6. Civil Application No. 312 of 2026 is also disposed of.

(NIVEDITA P. MEHTA, J.)

(URMILA JOSHI PHALKE, J.)