



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

WRIT PETITION NO.1600 OF 2025

Jehrunissa Shamim Khan, Chikhli, Nagpur, Dist. Nagpur

-vs-

Nagpur Municipal Corporation, Thr. Municipal Commissioner, Civil Lines, Nagpur and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri A. R. Ingole, Advocate for petitioner.

Shri J. B. Kasat, Advocate with Shri Amit Prasad, Advocate for respondents.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : March 24, 2025

1. Leave to amend. Amendment be carried out within a period of one week.
2. Copy of the amended petition be made available to Shri Kasat who waives notice for the respondents/Municipal Corporation and undertakes to file reply within a period of one week thereafter.
3. But for the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, further factual matrix appears to be identical and prima facie we are satisfied that the respondent-Authorities are conducting demolition in contravention of the judgment of the Apex Court in Writ Petition (Civil) No.295/2022 *In Re: Directions in the matter of demolition of structures.*
4. That being so, the entire action pursuant to the notice dated 21/03/2025 issued to the petitioner shall remain stayed until further orders.
5. We take on record the statement made by Shri Kasat that the action of demolition is already over. However, we will be dealing with the legality of the notice and the action taken pursuant to such notice against the petitioner once an affidavit of the Municipal Commissioner and the Executive Engineer is placed on record.
6. Post the matter for further consideration on 15/04/2025.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)