

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6470 OF 2026**

Thakker Developers Ltd., Through Director ... Petitioner

vs.

Nashik Municipal Corporation and others ... Respondents

Mr. Pradeep J. Thorat a/w. Mr. Aniesh S. Jadhav, i/b. Ms. Aditi S. Naikare
for petitioner.

Ms. G. R. Raghuwanshi, AGP for respondent Nos.3 and 4 – State.

**CORAM : MANISH PITALE &
FARHAN P DUBASH, JJ**

DATE : 07th MAY, 2026

P.C. :

- . Heard learned counsel for the petitioner.
2. Issue notice, returnable on 23.06.2026, High on Board. The learned AGP waives notice on behalf of respondent Nos.3 and 4.
3. Additionally, the petitioner is permitted to serve respondent Nos.1 and 2 by way of private service and file an affidavit of service within four weeks from today.
4. We are inclined to grant ad-interim relief in terms of prayer clause (c) for the following reasons:
 - (a) By an order passed as far back as on 27.02.2017 in a writ petition filed by the petitioner, a Division Bench of this Court had directed the respondent authorities to initiate proceeding for acquisition and to complete the entire process, including payment of compensation, within six months. A time period of 9 years has elapsed and the procedure for completing

acquisition and disbursement of compensation, is still underway.

- (b) In the interregnum, on the basis of a draft determination of compensation, on 23.06.2023, the respondent No.1 – municipal corporation deposited initial amount of about 30% and thereafter, on 31.07.2024, the balance 70% amount was deposited with the Deputy Collector (Land Acquisition). The total amount comes to ₹ 17,86,85,231. The said amount has been lying in deposit with the acquiring body i.e. the Deputy Collector (Land Acquisition).
- (c) Instead of completing the acquisition process in right earnest and passing land acquisition award, the Deputy Collector (Land Acquisition) has now received a communication dated 11.03.2026 from the Deputy Director (Town Planning) of respondent – municipal corporation, stating that with passage of time, the notification issued under Section 19 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, has lapsed and that acquisition of the land may not be undertaken.
- (d) It is further indicated that the aforesaid amount of ₹ 17,86,85,231 is urgently required for alternative purpose and therefore, it should not be utilized for the proposed acquisition of the petitioner's land. It is further indicated that the land acquisition proceeding itself may be withdrawn. We find this to be in the teeth of direction issued by the Division Bench of this Court, as far back as on 27.02.2017.
- (e) We also find substance in the apprehension expressed on behalf of the petitioner that if the Deputy Collector (Land Acquisition) acts upon the aforesaid communication dated 11.03.2026 issued by the respondent – municipal corporation,

the aforesaid amount may be refunded to the said respondent, to the detriment of the petitioner.

5. In view of the above, till the next date of listing, there shall be ad-interim relief in terms of prayer clause (c), which reads as follows:

- ‘c. That pending the hearing and final disposal of the present Writ Petition by an Order of this Hon'ble Court the Respondents be restrained from refunding the amount of compensation deposited by the Respondent No.2 with the Office of Dy. Collector (Acquisition) to the Nashik Municipal Corporation or appropriate the said amount towards acquisition of any property other than for portion admeasuring 3570 sq. mtrs. out of land bearing Survey No.955/A/2/1 (New Survey No. 955/A/2/1/2/1 to 4), totally admeasuring 24,783 sq. meters situate at Nashik within the limits of the Nashik Municipal Corporation.’

(FARHAN P. DUBASH, J.)

(MANISH PITALE, J.)

Priya Kambl