

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO. 98/2018

Citizen Uplift Society, Nagpur .VS. Nagpur Improvement Trust, Nagpur and anr.

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

Court's or Judge's orders

Mr. P. P. Kothari, Advocate for petitioner.

Mr. Pratik Khedikar, Advocate instructed by Mr. G. A. Kunte, Advocate
 for respondent Nos. 1 and 2.

Mr. A. A. Kathane, Advocate for respondent No.3.

CORAM : ANIL L. PANSARE AND NIVEDITA P. MEHTA, JJ.

DATE : MARCH 11, 2026.

On 17.02.2026, following order was passed.

“Heard for some time.

One of the issues is that once lay out is regularized in terms of the provisions of the Maharashtra Gunthewari Developments (Regulation, Upgradation and Control) Act, 2001 (for short ‘Gunthewari Act’), can there be further regularization at the instance of individual plot owner, that too, by changing the dimensions of the plot.

Learned counsel for the Nagpur Improvement Trust shall go through the provisions of the Gunthewari Act and place before us the relevant documents including the application that was filed first in time and lay out approved/regularized upon the said application. Stand over to 11-3-2026.”

2. As could be seen, we were made to believe that the layout under question was regularized in terms of the provisions of the Maharashtra Gunthewari Developments (Regulation, Upgradation and Control) Act, 2001. The petitioner, however, has averred that the layout map submitted by it for regularization, as such was rejected vide order dated 24.08.2010.

3. Counsel for petitioner invited our attention to the map filed by respondent No.1, which is at Annexure R-2. Order dated 17.02.2026, was accordingly passed. The question, however, is whether the layout was ever regularized. When inquired, counsel for

petitioner submits that the petitioner does not possess any map or document of regularization of layout.

4. The respondents shall examine the issue and make submissions accordingly. Respondents shall also place before us the legible copy of map, Annexure R-2.

5. At this stage, learned counsel for petitioner submits that pending petition, the respondents have issued notice dated 20.02.2026, calling upon the petitioner to remain present on 25.02.2026 to consider his application for regularization of plots under question.

6. The petitioner has shown us a copy of notice. We direct petitioner to submit the same on record and call upon the respondents to justify issuance of such notice without seeking permission of the Court. The petitioner shall add Executive Engineer, Gunthewari Regularization Section, Nagpur Improvement Trust, Nagpur, as party respondent No.4.

7. Issue notice to newly added respondent No.4, returnable on 16.03.2026.

8. Mr. Pratik Khedikar, Advocate waives service of notice for respondent No.4.

(JUDGE)

(JUDGE)