



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

**WRIT PETITION NO. 3509 OF 2019**

Dilip Laxmanrao Pitale

.Vs.

Assistant Engineer (West), Nagpur Metropolitan Regional Development Authority,  
Nagpur and others.

WITH

**WRIT PETITION NO. 3488 OF 2021**

Rajesh S/o. Sheshnath Upadhyay

.Vs.

Nagpur Metropolitan Regional Development Authority, Nagpur and others.

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

Court's or Judge's orders.

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**Writ Petition No. 3509 of 2019**

Dr R. S. Sundaram, Advocate for the petitioner  
Mr Girish Kunte, Advocate for respondent Nos. 1 and 3  
Mr Namit Kanungo, Advocate for respondent No.2  
Mr A. S. Bhendekar, Advocate for respondent No.4

**Writ Petition No. 3488 of 2021**

Mr Namit Kanungo, Advocate for the petitioner  
Mr Girish Kunte, Advocate for respondent Nos. 1 and 2  
Dr R. S. Sundaram, Advocate for the respondent No.3  
Mr A. S. Bhendekar, Advocate for respondent No.4 and 5

**CORAM : ANIL S. KILOR AND RAJNISH R. VYAS, JJ.**  
**DATED : NOVEMBER 10, 2025.**

By way of present writ petition, the petitioner is seeking removal of illegal construction made by respondent No.2-Rajesh (petitioner in Writ Petition No. 3488 of 2021). The respondent Nos. 1, 3 and 4 (respondent Nos.1, 2 and 6 in Writ Petition No. 3488 of 2021) are not disputing that the alleged construction is an illegal construction and cannot be permitted to continue the same and hence needs to be removed.

2. The respondent No.2-Rajesh however makes a statement that the alleged illegal construction has already been removed, which fact is denied by Dr R.S. Sundaram, learned counsel for the petitioner.

3. In that view of the matter, we direct the Executive Engineer, Public Works Department, Nagpur to carry out the inspection and file a report whether the illegal construction, as alleged, has already been removed by the respondent No.2-Rajesh or not. Such report shall be filed by the Executive Engineer, Public Works Department, Division-1, Nagpur within four weeks from today.

4. The Registry is directed to supply the copy of this petition alongwith the order to the Executive Engineer, Division-1, Public Works Department, Nagpur for further action.

5. Place this matter on **19.12.2025**.

[RAJNISH R. VYAS, J]

[ANIL S. KILOR, J.]