



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

**WRIT PETITION NO. 3274 OF 2014**

[Kamala W/o Arun Neware vs. State of Maharashtra through Secretary,  
Housing and Special Assistance Department and ors.]

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Office Notes, Office Memoranda  
of Coram, Appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's orders

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Mr. C. V. Kale, Advocate for the petitioner  
Mr. S. S. Hulke, AGP for the State/respondent nos. 1 to 3  
Mr. P. N. Kothari, Advocate for respondent no. 4

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

**DATE : 02-02-2026.**

The challenge is to notice dated 6-9-1990 issued under Section 10(5) of the Urban Land (Ceiling and Regulation) Act, 1976 directing father of petitioner, who was in possession of land bearing Survey No. 22/2 admeasuring 1348.81 Sq. Mtrs. Situated at Davalameti, Tahsil and District Nagpur, to deliver it to the State Government. The other prayers indicate that on one count, the petitioner is seeking injunction restraining respondents from taking over possession and on the other hand, she is challenging possession receipt dated 20-9-1990 executed by respondent no. 3 in favour of respondent no. 4 – MHADA.

In this connection, our attention is invited by the respondents to communication dated 29-6-2010 made by the petitioner to the Government stating therein that possession of the land was handed over on

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20-9-1990. She then made a grievance that till date i.e. till June, 2010, MHADA made no development at the site nor was compensation paid to her by the State Government. She further averred that the development ought to have been done within three years from the date of possession but works of development has not even commenced. Accordingly, she made a request to restore back possession to her.

Learned counsel for respondent no. 4 – MHADA submits that the land has been developed, tenements constructed and sold. The reply to that effect has been filed on 31-3-2015.

We, however, find from the reply that it does not disclose the date when the work of development was commenced. At the same time, we would request petitioner's counsel to show us the provisions indicating effect of non-development of land within three years from the date of handing over possession. The petitioner shall also justify her prayer of injunction.

List in the week commencing from 23-2-2026.

**(JUDGE)**

**(JUDGE.)**

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