



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

WRIT PETITION NO.3205 OF 2026

M/s Ahuja Automobiles, Tahsil Kamptee, Dist. Nagpur Thr. Authorised Representative
Swaroop Ukey

vs.

National Highways Authority of India (NHAI), Thr. General Manager (Tech) & Project
Director, Highway Administration, Nagpur and ors.

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

Court's or Judge's orders

Shri Ritesh Badhe, Advocate with Ms Shrushti Shahakar, Advocate for petitioner.
Shri Kartik Shukul, Deputy Solicitor General of India for respondent No.3.
Ms Tajwar Khan, Assistant Government Pleader for respondent No.4.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATED : 18th April, 2026

Heard Shri Ritesh Badhe, learned counsel for the petitioner.

2. The petitioner seeks challenge to the impugned notice dated 10/04/2026 issued by respondent No.1 thereby informing the petitioner that the alleged encroachment would be removed on 18/04/2026 i.e. today.

3. Shri Badhe, learned counsel invited our attention to the earlier notice dated 25/09/2025 issued by respondent No.1 which is at record page 47 (Annexure-P-6). By way of said notice, the respondent No.1 has called upon the petitioner to either remove the alleged encroachment or to submit his representation regarding such notice, upon which hearing will be granted to the petitioner on 30/09/2025.

4. Shri Badhe, the learned counsel submits that in compliance of the aforesaid notice, the petitioner has submitted a detail representation thereby pointing out as to how the aforesaid alleged construction is not an encroachment by the petitioner.

However, the respondent No.1 has not called upon the petitioner for personal hearing on 30/09/2025 or thereafter and finally the aforesaid notice dated 10/04/2026 is issued without there being hearing or any adjudication of the earlier notice dated 25/09/2025.

5. In view of the above, issue notice to the respondents, returnable on 05/05/2026.

6. Shri Kartik Shukul, learned Deputy Solicitor General of India waives service of notice on behalf of respondent No.3.

7. Ms Tajwar Khan, learned Assistant Government Pleader waives service of notice on behalf of respondent No.4.

8. The petitioner is permitted to serve respondent Nos.1 and 2 by private mode, in addition to the regular mode of service and file an affidavit by next date, failing which the petitioner shall deposit costs of Rupees Five Hundred with the 'Public Welfare Account' bearing No.129712010001014, IFSC Code UBIN0812978, Union Bank of India, Branch High Court, Civil Lines, Nagpur.

9. In the mean while, respondent No.1 is directed not to act upon the impugned notice dated 10/04/2026 at record page 55, Annexure-P-10 till the returnable date.

10. Office objections(s), if any, shall be removed before the next date.

(Raj D. Wakode, J.)

(Anil S. Kilor, J.)