

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3027/2021

Harish S/o Sahebrao Nigut

...Versus...

Additional Collector, Civil Lines, Nagpur and others

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

Court's or Judge's orders

Shri N.R. Kanungo, Advocate for petitioner
Shri S.M. Ukey, Addl. G.P for respondent nos.1 to 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 17/09/2021

1. Heard Shri Kanungo, learned Counsel for the petitioner, who submits that there is an alternate road available for the respondent nos.4 to 7, who own land of Survey Nos.21, 22, 23 and 24, which is to the North of the land of the petitioner, i.e. Survey No.29/2, which alternate road, is indicated by a dotted line to the East side of the land of Survey Nos.29/2 and 21, as per the spot inspection map, which has been filed along with Pursis dated 31/08/2021 at page no.8. The learned Counsel submits that in view of this alternate road available, the learned Mamlatdar ought not to have granted an approach way, to the land of Survey Nos.21, 22, 23 and 24 through the land of the petitioner bearing

Survey No.29/2, as such a way, was never in existence, in view of which, issue notice to the respondents, returnable in two weeks.

2. Shri S.M. Ukey, learned Additional Government Pleader waives service of notice for the respondent nos.1 to 3.

(AVINASH G. GHAROTE, J.)

Wadkar