

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No.13724/2024

WESTERN REFRIGERATION ENGINEERING & ORS.

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

O R D E R

1. We heard the learned counsel appearing for the parties.

2. It appears from the materials on record that the subject matter of challenge before the High Court in the Writ Petition preferred by the appellants before us was the legality and validity of the Notice dated 5.3.2021 issued by the Nagpur Municipal Corporation under the provisions of Section 264(1) of the Maharashtra Municipal Corporation Act, 1949 (for short, the "Act of 1949") and a further challenge to the constitutional validity of Section 433A of the Act of 1949 since it bars the questioning of a Notice issued under Section 264 of the Act of 1949 in any suit or legal proceedings. The appellants before us claim to be tenants of a building which had to be demolished by the Corporation on the ground that the same was in a dilapidated condition and would have led to some casualties if the building would have collapsed. It is

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in dispute that at the relevant point of time, after serving the Notice under Section 264(1) of the Act of 1949, the building was brought down.

3. Nothing further survives in the matter.
4. The only dispute raised today by the appellants is with regard to their entitlement to seek alternative accommodation in the building which has come up under the redevelopment plan. If the appellants have any claim to be put forward as regards their entitlement to have appropriate accommodation in the new building that is coming up, it shall be open for them to take up this issue with the competent authority in accordance with law.
5. With the aforesaid liberty, this appeal stands disposed of.
6. Pending applications, if any, also stand disposed of.

.....J
(J.B. PARDIWALA)

.....J
(K. VINOD CHANDRAN)

NEW DELHI;
14TH OCTOBER, 2026.

ITEM NO.101

COURT NO.5

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.13724/2024

WESTERN REFRIGERATION ENGINEERING & ORS.

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

(IA No. 39995/2026 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 14-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Appellant(s) :

Mr. Sudheer Voditel, Adv.
Mr. Ravindra Bana- 548, AOR
Mr. Tejasvi Kumar, Adv.

For Respondent(s) :

Ms. Rukhmini Bobde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande- 3259, AOR
Mr. Shrirang B. Varma, Adv.
Mr. Vinayak Aren, Adv.
Mr. Jatin Dhamija, Adv.
Ms. Aishwarya Nigam, Adv.

M/s. Black & White Solicitors- 3090, AOR
Mr. Suhaskumar Kadam, Adv.

Mr. S. Ravi Shankar- 1393, AOR
Mrs. S. Yamunah Nachiar- 1932, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. This appeal stands disposed of, in terms of the signed order..
2. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed Order is placed on the file)