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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7487 OF 2026

Santosh Dattaram Fand ...Petitioner
Versus
The Municipal Commissioner,
Vasai Virar Municipal Corporation and anr....Respondents

...

Mr.Vidhyadhar Gangurde, for the Petitioner.
Mr. Abhijeet N. Gosavi h/f Ms.Rasika R. Patil, for the
Respondents.

...

**CORAM : MAHESH CHANDRA TRIPATHI, CJ.
& ADVAIT M. SETHNA, J.**

DATE : 16th SEPTEMBER, 2026

P.C.:

1. Heard Mr. Gangurde, the learned counsel for the
Petitioner and Ms. Rasika Patil, learned counsel appearing for
the Respondents.

2. The instant writ petition is preferred, *inter alia*, for
the following reliefs :-

(a) This Hon'ble Court be pleased to issue Writ of Mandamus
and/or any other appropriate Writ, Order and direction inter alia
directing to Respondent Nos. 1 and 2 not to demolish Petitioner
stall;

(b) This Hon'ble Court be directed to issue Writ of Mandamus
and/or any other appropriate Writ, Order and direction inter alia
directing to Respondent Nos. 1 and 2 not to take any coercive

action;

(c) This Hon'ble Court be direct the Respondent Nos. 1 and 2 shall not dispossess Petitioner without following due process of law;

(d) Pending the hearing and final disposal of the present Petition, this Hon'ble Court be pleased to Order and direct Respondent Nos. 1 and 2 not to dispossess the Petitioner;

3. The instant petition is preferred to issue direction to the Respondent-Corporation not to carry out any demolition of the Petitioner's stall. At the outset, we have had the occasion to peruse the record and find that certain demolition has already been carried out, over the road side. Considering the facts and circumstances, without adverting on merits of the case, we leave it open to the Petitioner to move an appropriate application before the Competent Authority of the Respondents. In case, such an Application for the above relief is filed, we expect that the same shall be considered and decided by the Competent Authority of the Respondents in accordance with law.

4. With the aforesaid observations, the writ petition stands disposed of. This order has been passed with the assistance of Ms. Patil, learned counsel for the Respondent.

[ADVAIT M. SETHNA, J.]

[CHIEF JUSTICE]