

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

WRIT PETITION NO.13806 OF 2024

Vyankatesh Maruti Pawar. ... Petitioner.
Versus
State of Maharashtra and Ors. ... Respondents.

Mr. Rahul V. Shinde, Advocate for Petitioner.
Mr. Tukaram Shendge a/w. Mr. Rushikesh Salunkhe i/b. Mr. Manoj Bagal, Advocate for Respondent Nos. 5 to 8.
Mr. Ashwin R. Kapadnis, Advocate for Respondent No. 4 PMRD.
Mr. Abhijit P. Kulkarni a/w. Ms. Sweta Shah, Advocate for Respondent No. 9 PMC.
Smt. R.M. Shinde, AGP for Respondent State.

**CORAM : M. S. KARNIK &
SANDESH D. PATIL, JJ.**

DATE : 1st SEPTEMBER, 2026

P.C. :

1. Heard the learned Counsel for the Petitioner.
2. We request Mr. Kulkarni to appear on behalf of the Corporation. Mr. Kulkarni submitted that he needs some time obtain instructions. However, to assist this Court, it is at our request that Mr. Kulkarni has appeared. His engagement be regularised by the Corporation.

3. Leave to amend. Amendment to be carried out forthwith to add Pune Municipal Corporation as Party – Respondent No.9.

4. By this Petition, the Petitioner seeks directions to Respondent Nos. 1 to 4 to take action against illegal constructions carried by the Respondent Nos. 5 to 8 at Gat No. 1357 situated at Wagholi, Pune under Provisions of Section 52 to 56 of Maharashtra Regional Town Planning Act.

5. The learned Counsel for the Petitioner submitted that the buildings in question are unauthorised. The learned Counsel for the Respondent Nos. 5 to 8 submitted that the buildings had been constructed after taking due permission from the Gram Panchayat. It is further submitted that the application for regularisation was filed before the Pune Metropolitan Region Development Authority (PMRDA). Mr. Kapadnis, learned Counsel for the Respondent No. 4 PMRDA submits that by a notification dated 11/2/2026, unauthorised structure now is included in the Pune Municipal Corporation (PMC).

6. Hence, the issue needs to be examined by the PMC. Learned Counsel submitted that an application for regularisation/retention would be made to the PMC. It is open for

the Respondent Nos. 5 to 8 to make an appropriate application to the PMC for regularisation/retention. A fresh application for regularisation be made before the PMC within a period of four weeks today. The same be considered on its own merits and in accordance with law within a period of 12 weeks therefrom. Deficiency, if any, in the proposal for regularisation be communicated to the Petitioner to enable the Petitioner to rectify the same. A decision on the application for regularisation be taken expeditiously.

7. In case, the structures of Respondent Nos. 5 to 8 are not regularised, the Pune Municipal Corporation then shall take action against the said structures in accordance with law after giving an opportunity to the Respondent Nos. 5 to 8. Appropriate action be take expeditiously.

8. With the above observations, the Writ Petition is disposed of.

(SANDESH D. PATIL, J.)

(M. S. KARNIK, J.)