

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.6636 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Harishchandra Ganpat Yadav        | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH**

**WRIT PETITION NO.6655 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Rajesh Shankar Salokhe            | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH**

**WRIT PETITION NO.6681 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Girija Shankar Gupta              | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH**

**WRIT PETITION NO.6737 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Arvind Babulal Jain and anr.      | ... | Petitioners |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH**

**WRIT PETITION (ST.) NO.13948 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| M/s Pratibha Developers           | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH**

**WRIT PETITION (ST.) NO.13998 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Mukesh Tukaram Surve and ors.     | ... | Petitioners |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**WITH  
WRIT PETITION (ST.) NO.14218 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Radhabai Govind Pingle            | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

**AND  
WRIT PETITION NO.14219 OF 2019**

|                                   |     |             |
|-----------------------------------|-----|-------------|
| Jijabai Anant Kadu                | ... | Petitioner  |
| <b>Versus</b>                     |     |             |
| The State of Maharashtra and anr. | ... | Respondents |

Mr.Suresh M. Kamble, Advocate for the Petitioners.

Mrs. R. M. Shinde, AGP for Respondent No.1-State.

Mr.Harshad Bhadbhade a/w. Ms. Arya Sapre, Advocate for Respondent No.2.

**CORAM: S.V. GANGAPURWALA &  
VINAY JOSHI, JJ.**

**DATED : APRIL 12, 2022**

**P.C.**

1. Heard the learned Counsel for the petitioners and learned Advocate for the Municipal Council.

2. The apprehension of the petitioners is that the lands of the petitioners affected in the service road are being taken in possession without adhering to the provisions of law.

3. The learned Advocate for the Municipal Council submits that the respondent would follow the procedure

provided under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (hereinafter referred to as “**MMC Act**”). The petitioners may take up steps as permissible under the MMC Act. The petitioners may raise objections referable to Section 174 of the MMC Act. The objection of the petitioners would be considered and the valuation under Section 330 of the MMC Act would be fixed as per the procedure prescribed under Section 330 of the MMC Act. The petitioners have an opportunity to take necessary steps.

4. As the statement has been made by the Municipal Council that the proper procedure under the MMC Act would be followed, no further adjudication is necessary in these matters. The parties shall take appropriate steps.

5. Writ petitions stand disposed of. No costs.

(VINAY JOSHI, J.)

(S.V. GANGAPURWALA, J.)

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DATTATRAYA  
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