



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8230 OF 2025

Anil Ramkishan Sikchi	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

AND
WRIT PETITION NO. 8231 OF 2025

Brijlata Arun Sikchi	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

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Advocate for the petitioner in both WPs : Mr. Devdatt P. Palodkar
GP for the respondent – State : Mr. A.B. Girase
Advocate for respondents no. 3 & 4 : Mr. S.P. Urgude along with Mr. S.S. Tope
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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**

DATE : 09 JULY 2025

ORAL ORDER (PER - MANISH PITALE, J.) :

These petitions were taken on the production board as learned counsel for the petitioners mentioned them in the morning, bringing it to the notice of this Court that JCB machine and bulldozer were near the properties of the petitioners and that there was a real and present danger of demolition being undertaken by the respondent – corporation in the context of road widening project.

2. Learned counsel for the respondent – corporation appeared and submitted that he would make an appropriate statement after perusing the papers pertaining to these petitions.

3. The documents filed along with the petitions and also copy of the occupancy certificate tendered across the bar clearly show that the petitioners have building permits in the context of their structures and that they also have occupancy certificate. Copy of the occupancy certificate is taken on record in writ petition no. 8230 of 2025 and marked as 'X' for identification.

4. In the light of aforesaid undisputed documents, learned counsel for the respondent – corporation makes a statement, on instructions, that in the case of these petitioners, the municipal corporation shall follow due procedure prescribed in law even before initiating any step for demolition of such structures in the event they are required for the purpose of road widening. It is obvious that the above statement in the context of the petitioners has been made as this Court is satisfied that they have building permits as well as occupancy certificate in respect of their structures constructed on their respective properties.

5. We are of the opinion that the aforesaid statement made on behalf of the respondent municipal corporation sufficiently

addresses the concern raised on behalf of the petitioners and that no further orders are required in the petitions.

6. The petitioners in these petitions have also sought specific direction / relief in terms of prayer clause (B).

7. Since the apprehension of the petitioner in respect of demolition of their properties is appropriately addressed by the statement made on behalf of the respondent – corporation, for the present the petitioners are not pressing relief in terms of the aforesaid prayer clause and they seek liberty to file separate petition/s.

8. In the light of the statement made on behalf of the petitioners, liberty, as aforesaid, is reserved in terms of prayer clause (B).

9. With these observations, the petitions are disposed of. Pending applications, if any, are disposed of.

[Y.G. KHOBRAGADE]
JUDGE

[MANISH PITALE]
JUDGE

arp/