



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8344 OF 2025

Usha Ramesh Nagpal	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

AND
WRIT PETITION NO. 8345 OF 2025

Tarvindersingh Mahendrasingh Dhillon	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

...
Advocate for the petitioner in both WPs : Mr. A.S. Bajaj
GP for the respondent – State : Mr. A.B. Girase
Advocate for respondent – Corporation : Mr. S.P. Urgunde along with Mr. S.S. Tope
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**CORAM : MANISH PITALE &
Y.G. KHOBRAGADE, JJ.**

DATE : 09 JULY 2025

PER COURT :

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 (**Exhibit – B**) filed in writ petition no. 8344 of 2025 and copy of the building permission tendered across the bar in writ petition no. 8344 of 2025 clearly show that the petitioner in writ petition no. 8344 of 2025 has building permit in the context of her structure and also has occupancy certificate. In writ petition no. 8345 of 2025, petitioner has only the building permission (**Exhibit - B**).

4. In the light of aforesaid undisputed documents, learned counsel for the respondent – corporation makes a statement, on instructions, that in 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 is made in the context of the petitioners since they have been able to satisfy this Court that the petitioner in writ petition no. 8344 of 2025 has building permit as well as occupancy certificate and the petitioner in writ petition no. 8345 of 2025 has only building permission in respect of the structures in 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). 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, the present petitioners are not pressing relief in terms of said prayer clause and they seek liberty to file separate petition/s.

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

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

[Y.G. KHOBRADE]
JUDGE

[MANISH PITALE]
JUDGE

arp/