



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8534 OF 2025

Sadanand Vasantrao Shabde & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Rupesh Anil Jaiswal, for Petitioners.
- Mr. S. P. Sonpawale, AGP for Respondent Nos.1 and 3.
- Mr. S. P. Urgunde, for Respondent Nos.2 and 4.

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 17th JULY 2025.

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

1. In this petition, the petitioners have rushed to this Court in the light of the public announcements made in the vicinity of the properties of the petitioners that the respondent – Municipal Corporation is likely to take coercive steps as against the petitioners in the context of their properties.

2. On the last occasion, the learned counsel for the petitioners sought permission to amend the cause title to add the Chhatrapati Sambhajnagar Metropolitan, Regional Development Authority as respondent. The amendment has been carried out.

3. It has come to light that part of the properties of the

petitioners is within the jurisdiction of the respondent – Municipal Corporation and the remaining part is in the jurisdiction of the said Authority.

4. Even today the learned counsel for the petitioners reiterated the position that due to announcements and public proclamations made on behalf of the respondent – Municipal Corporation, the petitioners have been constrained to file the present petition.

5. In response, the learned counsel for the respondent – Municipal Corporation submits that if the boundary wall constructed around the property belonging to the petitioners comes in the way of road widening, appropriate action would be taken in the matter.

6. According to the petitioners, the boundary wall has not been constructed on the road and it is very much within their property. This Court is not equipped, while exercising writ jurisdiction, to go into the matter.

7. But, we are of the opinion that even if the respondent – Municipal Corporation intends to take action in the matter, it would do so strictly in accordance with law.

8. Hence, this petition is disposed of by directing that the respondent – Municipal Corporation shall take action in respect of the petitioners strictly in accordance with law and as per the judgments of this Court and the Supreme Court, particularly observations made in paragraph No.30 by the Supreme Court in its judgment and order dated 06th November 2024, passed in Writ Petition (Civil) No.1294 of 2020 (In Re Manoj Tibrewal Akash).

9. The Writ Petition is disposed of with the aforesaid directions.

10. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)