



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

959 WRIT PETITION NO.14216 OF 2025

Santoksingh Uttamsingh Daroga And Another
VERSUS
The State Of Maharashtra Through Secretary And Others

...
Advocate for Petitioners : Mr. V. P. Bakal
AGP for Respondents: Mr. S.B. Narwade
Advocate for Respondents 3,4 : Mr. S. S. Tope
...

AND
960 WRIT PETITION NO. 14217 OF 2025

Pankaj Shrihari Shegokar And Others
VERSUS
The State Of Maharashtra Thorough Secretary And Others

...
Advocate for Petitioners : Mr. V.P. Bakal
AGP for Respondents: Mr. A.M. Phule
Advocate for Respondents 3,4 : Mr. S. S. Tope
...

AND
978 WRIT PETITION NO. 11451 OF 2025

Harbhajansingh Charansingh Thiara And Another
VERSUS
The State Of Maharashtra Through Secretary And Others

...
Advocate for Petitioners : Mr. V.P. Bakal
AGP for Respondents: Mr. S.B. Narwade
Advocate for Respondents No.3,4 : Mr.S.S. Tope
...

WITH
CIVIL APPLICATION NO. 13083 OF 2025 IN WP/11451/2025

AND
979 WRIT PETITION NO. 11454 OF 2025

Rajkumari Bramhamprakash Thakur
VERSUS
The State Of Maharashtra Through Secretary And Others

...
Advocate for Petitioners : Mr. V.P. Bakal
AGP for Respondents: Mr. S.B. Narwade
Advocate for Respondents No.3,4 : Mr. S.S. Tope

...
WITH
CIVIL APPLICATION NO. 13084 OF 2025 IN WP/11454/2025

...
**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

Dated : November 27, 2025

FINAL ORDER :-

1. Heard learned advocate for all the petitioners in respective petitions.
2. Issue notice to the Respondents. Learned AGP waives notice for Respondent nos.1 and 2. Mr. Tope, learned advocate waives notice for respondent nos.3 and 4.
3. The petitioners are contending that they are the owners of the respective properties in the respective petition/s and according to them, they had sought permission from the erstwhile Village Panchayat for the construction. However, the area of the petitioners was merged into Municipal Corporation Chhatrapati Sambhajnagar in the year 2016. Now, notice dated 18.11.2025, which the petitioners say that it was received by them at 6.00 p.m. on 21.11.2025 has been issued under section 260 of the Maharashtra Municipal Corporations

Act, 1949 (for short 'MMC' Act). It is then prayed that said notices be quashed and it should be declared that the proposed action of demolition of the dwelling houses and properties is arbitrary.

4. We have gone through the notice that was given under section 260 of the MMC Act and, now it is stated by learned advocate for the petitioners that reply has been given by them to the said notice on 24.11.2025.

5. Taking into consideration the judgment of Hon'ble Supreme Court in case of **Municipal Corporation of Greater Bombay and others Vs. Sunbeam High Tech Developers Pvt Limited reported in (2019) 20 SCC 781**, we are not going into the details and once it is admitted that notice under section 260 of MMC Act has been given, then, unless it is decided, the Municipal Corporation cannot proceed. It appears that petitioners have given reply to the said notice on 24.11.2025. There is also acknowledgment on behalf of Corporation on the same.

6. In view of this situation, learned advocate Mr. Tope appearing for respondents-Corporation, upon instructions

from Mr.Bharat Baburao Birhare, Assistant Commissioner, Municipal Corporation, Chhatrapati Sambhajnagar, who is present in the Court submits, that, if petitioners remain present in the office of Assistant Commissioner, Chhatrapati Sambhajnagar on **2.12.2025** at **11.00** am, then, after hearing the petitioners, the decision would be taken and after communicating it to the Petitioners in writing within (2) two days, further action would be taken. Said statement is taken as an undertaking to this Court.

7. We **dispose of** the writ petitions by giving directions to Respondent nos.3 and 4 to decide the notice under section 260 of the MMC Act as per undertaking and we further direct that 'no further action be taken for a period of one week' after the information about the decision is given to the petitioners, if the decision goes against the petitioners.

8. Pending civil applications, if any, also stand **disposed of**.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

...

AAA/-