



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

WRIT PETITION NO. 13834 OF 2025

Gagandeep Singh Siledar And Others

VERSUS

The State Of Maharashtra And Others

Mr. S. K. Chavan, Advocate for petitioners

Mr. A. P. Bhandari, Advocate for respondent Nos. 3 to 6

Mr. R. S. Wani, AGP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 19th November, 2025

PER COURT :-

1. Heard learned Advocate for the petitioners.
2. Mr. Bhandari, learned Advocate, waives notice for respondent Nos. 3 to 6, and upon instructions from Mr. Ramesh K. More, designated as Encroachment Removal Officer/Assistant Commissioner, who is present in the Court, makes a statement that though the notice has been issued to the petitioner under Section 260 of Maharashtra Municipal Corporation Act, 1949 (for short "**the Act**"), for reply, three days' time has been given. In view of the judgment of Hon'ble Supreme Court in **Municipal Corporation of Greater Mumbai and others vs. M/s. Sunbeam High Tech Developers Private Ltd.** Civil Appeal No. 7627/2019 decided on 24.10.2019, extra time would be given. Though

the petitioners appear to have given the reply yet, within further four days, they can given additional reply, if they want and adhering to the procedure laid down in **M/s Sunbeam** (supra), further action would be taken by the respondent No. 3.

3. The petitioners had challenged the notices dated 14.11.2025 under Section 260 of the Act and had relied on **Sopan Maruti Thopate and another vs. Pune Municipal Corporation and another**, 1996 (1) Mh. L. J. 963, which was the decision of this Court. However, in view of subsequent decisions of the Hon'ble Supreme Court and the procedure that has been laid down therein, would be binding on the respondent No.

4. In view of the said statement, which is taken as undertaking, we dispose of the writ petition by allowing the petitioners to file reply/additional reply within a period that has been prescribed under **M/s Sunbeam** (supra) and the respondent No. 3 should follow the guidelines or directions given in **M/s Sunbeam** (supra).

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi