

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4565 OF 2023

Subhash Khanderao Kadam ... Petitioner

Versus

Manojkumar Sadashiv Kadam & Ors. ... Respondents

*Mr. Amit Sale a/w. Mr. Shreyas K. i/b. Mr. Rahul Kate for the Petitioner.
Mr. A.A. Naik, A.G.P. for the Respondent-State.*

Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.

Date : 22nd December 2025.

P. C. :

1. Heard learned counsel for the Petitioner.
2. The Petitioner claims to be the adjacent land owner in respect of an agricultural land where an unauthorized construction have been put up by the Respondent Nos.1 & 2.
3. According to the learned counsel for the Petitioner, the said construction of the structure is without obtaining any permission of the Competent Authority.

4. Instead of issuing notice to the Respondent Nos.1 & 2, the Petitioner is directed to file comprehensive representation before the Respondent No.3 placing on record the details regarding the unauthorized construction carried out by the Respondent Nos.1 & 2. If the Respondent No.3 finds substance in the complaint that the Respondent Nos.1 & 2 have made any unauthorized construction, the Sub-Divisional Officer shall issue notice to the Respondent Nos.1 & 2.
5. After conducting necessary inquiry and upon hearing the Respondent Nos.1 & 2 and by complying with the principles of natural justice and the procedure laid down, the Respondent No.3 to take appropriate action, if it is found that the structures put up by the Respondent Nos.1 & 2 are illegal and unauthorized.
6. It is assured by the learned counsel for the Petitioner that within a period of four weeks from today, a detailed representation will be made to the Respondent No.3. On making necessary inquiry, the Respondent No.3 to deal with and take appropriate action in terms of the aforesaid observations within a period of six months therefrom.
7. Petition is disposed of in above terms.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

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