

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8291 OF 2021

Mr. Dilip Gopalrao Mangaonkar

... Petitioner

Versus

State of Maharashtra And Ors

... Respondents

*Adv. Neha G. Deshpande i/by Dr. Uday Warunjikar for the Petitioner.
Mr. V. M. Mali, AGP for the Respondent-State.
Mr. Rohit Mangsule (Through VC) for the Respondent No. 2.*

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

Date : November 24, 2025.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. This Petition prays for substantial relief as under:

a) *This Honourable Court be pleased to issue Writ of Mandamus or Writ in the nature of Mandamus directing the Respondent No.1 to fix the responsibility of Respondent No.2 and their employees for not taking appropriate action in respect of illegal construction and change of user.*

b) *Be pleased to issue a Writ of Mandamus directing the Respondent Nos. 1 and 2 to take action against illegal construction as well as change of user in respect of lands of Kabrasthan mentioned in Memo of Petition within the jurisdiction of Respondent No. 2.*

c) *Be pleased to direct the Respondent No.2 to fix the*

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responsibility for not taking appropriate legal action in respect of the unauthorized and illegal construction as well as change of user of Kabrasthan as mentioned in the body of the petition.

d) *Be pleased to direct the Collector, Kolhapur to decide the application under Section 308(i) of the Maharashtra Municipal Council, Nagar Panchayat & Industrial Township Act, 1965 within such period as this Hon'ble High Court may deem fit and proper.*

3. Learned Counsel for the Respondent Nos. 1 and 2 submits that the Petitioner is no more.
4. Considering the averments made in the Petition and the reliefs prayed for, we direct Respondent No. 1 to examine the representation dated 18th September 2018 submitted by the Petitioner and take it to its logical conclusion.
5. Needless to mention, if there are any illegal constructions or unauthorized change of user, Respondent No. 1 may examine the grievance and take appropriate steps to address it, including holding the necessary inquiry and calling for reports from the concerned authorities.
6. In the event any adverse orders are passed, liberty to seek appropriate remedy to any person aggrieved is kept open.
7. Writ Petition stands disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]