

Pdp

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 951 OF 2024

Amrut Sudhakar Narvekar & Ors. .. Petitioners

Versus

The Collector, Sindhudurg & Ors. .. Respondents

Mr. Abhijit Gosavi a/w Mr. Sachin Gawade i/by Mr. Mahesh V. Rawool for petitioners.

Mr. O. A. Chandurkar, Addl. Govt. Pleader with Ms. G. R. Raghuwanshi, AGP for respondent nos.1 and 6-State.

Ms. Jaya Bagwe for respondent no.4.

Mr. Suryakant K. Pise for respondent no.7.

**CORAM: ALOK ARADHE, CJ. &
 BHARATI DANGRE, J.**

DATE: 6th MARCH, 2025

ORDER: [Per Chief Justice]

1. Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.

2. In this writ petition, the petitioners, *inter alia*, seek a direction to respondent nos.1 to 6 to forthwith comply with the order of closure dated 13th July, 2021 passed by the Maharashtra Pollution Control Board and to disconnect the water as well as electricity supply to the industry, namely, M/s. Balraje Fiber and Boat Builder (respondent no.7), which is run by partners who are near relatives of the petitioners. The petitioners also seek a direction to the Collector, Sindhudurg District to demolish the illegal structures raised by the partners of M/s. Balraje Fiber and Boat Builder on the suit property.

3. Facts giving rise in filing of the present writ petition, in nutshell, are that the petitioners and partners of M/s. Balraje Fiber and Boat Builder are near relatives. The petitioners sent a notice on 20th January, 2020 to Collector, Sindhudurg District in which it was pointed out that the partners of Balraje Fiber and Boat Builder are carrying out illegal industrial activities and have raised construction of a building illegally. By a communication dated 20th October, 2020, the Collector directed the Tahsildar to take an action. However, no further action was taken against M/s. Balraje Fiber and Boat Builder.

4. In the aforesaid facts and circumstances, the petitioners have filed this writ petition.

5. We have heard the learned counsel for the parties. Learned counsel for the respondent no.7 submitted that the partners of respondent no.7 have closed the industry with effect from 13th July, 2021 and is no longer operating the same. It is also submitted by the learned Additional Government Pleader that an action for removal of illegal construction has already been initiated and same shall be brought to its logical conclusion within a period of two months.

6. The aforesaid submissions on behalf of the learned counsel for respondent no.7 and the learned Additional Government Pleader are placed on record.

7. In the facts and circumstances of the case, we, therefore, dispose of the writ petition with a direction to the official respondents to conclude the process of demolition of the subject structure, if the same is found to be illegal, within a period of two months from today.

8. Needless to state that if the grievance of the petitioners still survives, they are at liberty to approach this Court.

PRAVIN
DASHARATH
PANDIT

Digitally signed by
PRAVIN DASHARATH
PANDIT
Date: 2025.03.07
11:35:09 +0530

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)