

PVR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14789 OF 2023
AND
INTERIM APPLICATION NO.11750 OF 2025

Nisha Chanika Prasad Patel ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 1969 OF 2024
AND
INTERIM APPLICATION (ST) No.22744 OF 2025

Gangaram Vithu Sawant ...Petitioner
Versus
The Union Of India And Ors. ...Respondents

WITH
WRIT PETITION NO. 14791 OF 2023
AND
INTERIM APPLICATION No.11752 OF 2025

Premkumar Satya Narayan Patel ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 14790 OF 2023
AND
INTERIM APPLICATION (ST) No.25111 OF 2025
AND
INTERIM APPLICATION (ST) No.22748 OF 2025

Sheeladevi Arvindkumar Patel ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 12197 OF 2023
AND
INTERIM APPLICATION (ST) No.23123 OF 2025

Mr. Ganesh Bhikaji Chavan
Versus
The Union Of India & Ors

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 11966 OF 2023
AND
INTERIM APPLICATION (ST) No.23149 OF 2025

Jyoti Vishwanath Sawant
Versus
The Union Of India & Ors.

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 11967 OF 2023
AND
INTERIM APPLICATION (ST) No.25117 OF 2025
AND
INTERIM APPLICATION (ST) No.34153 OF 2024

Monika Mohan Gavankar
Versus
The Union Of India And Ors

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 12452 OF 2023
AND
INTERIM APPLICATION (ST) No.23148 OF 2025

Mahesh Ankush Parab
Versus
The Union Of India And Ors

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 11874 OF 2023
AND
INTERIM APPLICATION (ST) No.25122 OF 2025
AND
INTERIM APPLICATION (ST) No.15095 OF 2024

Sankuntala Yeshwant Sable
Versus
The Union Of India And Ors

...Petitioner
...Respondents

WITH
WRIT PETITION NO. 11880 OF 2023
AND
INTERIM APPLICATION (ST) No.25121 OF 2025

Vilas Jagannath Satam ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11881 OF 2023
AND
INTERIM APPLICATION (ST) No.23153 OF 2025

Shashikant Mulji Nakar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11882 OF 2023
AND
INTERIM APPLICATION (ST) No.23272 OF 2025

Mrs. Shobha Ramchandra Khopar Since
Decd. Thr Her Legal Heirs ...Petitioner(s)
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11883 OF 2023
AND
INTERIM APPLICATION (ST) No.25103 OF 2025

Manjusha Sanjay Paware ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 12453 OF 2023
AND
INTERIM APPLICATION (ST) No.23299 OF 2025

Rajshree Ravindra Nadekar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11884 OF 2023
AND
INTERIM APPLICATION (ST) No.23135 OF 2025

Mangal Anand Ingale ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11885 OF 2023
AND
INTERIM APPLICATION (ST) No.22740 OF 2025

Alka Deepak Badpe ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11886 OF 2023
AND
INTERIM APPLICATION (ST) No.25114 OF 2025

Sanjay Bhagoji Chavan ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 11889 OF 2023
AND
INTERIM APPLICATION (ST) No.23817 OF 2025

Dhoopraj Mittho Sharma ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15106 OF 2024
AND
INTERIM APPLICATION (ST) No.23286 OF 2025

Mr. Sunil V. Jamburge ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH

WRIT PETITION NO. 12198 OF 2023
AND
INTERIM APPLICATION (ST) No.23144 OF 2025
AND
INTERIM APPLICATION No.15111 OF 2024

Mr. Nilesh Vilas Parab ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15107 OF 2024
AND
INTERIM APPLICATION (ST) No.23152 OF 2025

Kedar Eknath Telang ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 5512 OF 2024
AND
INTERIM APPLICATION (ST) No.23318 OF 2025
AND
INTERIM APPLICATION (ST) No.34187 OF 2024

Prachi Prashant Raghav ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 6948 OF 2024

Sandhyarani Kunal Panigrahy ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15623 OF 2024
AND
INTERIM APPLICATION (ST) No.23833 OF 2025
AND
INTERIM APPLICATION (ST) No.34183 OF 2024

Prithviraj Balwant Dhumal ...Petitioner
Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 15618 OF 2024
AND
INTERIM APPLICATION (ST) No.23836 OF 2025
AND
INTERIM APPLICATION No.15101 OF 2024

Mr. Dashrath Rajaram Dalvi
Versus

...Petitioner

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 15616 OF 2024
AND
INTERIM APPLICATION (ST) No.23304 OF 2025
AND
INTERIM APPLICATION No.15110 OF 2024

Mrs. Sarita Ganesh Chavan
Versus

...Petitioner

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 15614 OF 2024
AND
INTERIM APPLICATION (ST) No.23158 OF 2025

Mrs. Madhu Nanji Gohil
Versus

...Petitioner

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 15648 OF 2024
AND
INTERIM APPLICATION (ST) No.23316 OF 2025

Mrs. Vidhya Hasmukh Dedhia
Versus

...Petitioner

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 7026 OF 2024
AND
INTERIM APPLICATION (ST) No.23162 OF 2025

AND
INTERIM APPLICATION No.15103 OF 2024

Mr. Mulchand Shobnath Vishwakarma ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7025 OF 2024
AND
INTERIM APPLICATION (ST) No.25119 OF 2025

Mr. Rajesh Shankar Indalkar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15621 OF 2024
AND
INTERIM APPLICATION (ST) No.23278 OF 2025

Mrs. Sumati Keshav Samgiskar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15645 OF 2024
AND
INTERIM APPLICATION (ST) No.23822 OF 2025

Mr. Sunil Gopinath Giri ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 9532 OF 2024
AND
INTERIM APPLICATION (ST) No.23827 OF 2025
AND
INTERIM APPLICATION (ST) No.34148 OF 2025

Mrs. Ramchandra Mahipat Nachare ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH

WRIT PETITION NO. 15641 OF 2024
AND
INTERIM APPLICATION (ST) No.23161 OF 2025

Mr. Rajpal Havasingh Malik ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15629 OF 2024
AND
INTERIM APPLICATION (ST) No.23155 OF 2025
AND
INTERIM APPLICATION (ST) No.15105 OF 2024

Mr. Nilesh Jayram Shinde ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 6882 OF 2024
AND
INTERIM APPLICATION (ST) No.23289 OF 2025

Mr. Rakesh Ramesh Chavan ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 6947 OF 2024
AND
INTERIM APPLICATION (ST) No.23130 OF 2025

Mr. Munnalal Sabhajeet Gupta ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7045 OF 2024
AND
INTERIM APPLICATION (ST) No.25101 OF 2025

Mr. Sunil Tayaram Manyar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7255 OF 2024
AND
INTERIM APPLICATION (ST) No.23319 OF 2025

Mrs. Sunita Munnalal Gupta ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7254 OF 2024
AND
INTERIM APPLICATION (ST) No.23300 OF 2025

Mr. Surendra Kailas Sahu ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15612 OF 2024
AND
INTERIM APPLICATION (ST) No.23277 OF 2025

Sudam Baban Dunge ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 12196 OF 2023
AND
INTERIM APPLICATION (ST) No.23808 OF 2025

Vaishnavi Prashant Dudhavadkar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 9512 OF 2024
AND
INTERIM APPLICATION (ST) No.23820 OF 2025

Balaram Sudam Bhoir ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH

WRIT PETITION NO. 16504 OF 2023
AND
INTERIM APPLICATION (ST) No.23830 OF 2025

Sharad Vaman Gaikwad ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 10287 OF 2024
AND
INTERIM APPLICATION (ST) No.23137 OF 2025

Sameer Shanidas Bhoir ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7077 OF 2024
AND
INTERIM APPLICATION (ST) No.23811 OF 2025
AND
INTERIM APPLICATION (ST) No.34174 OF 2024

Mrs. Dropadi Satish Patil ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 12193 OF 2023
AND
INTERIM APPLICATION (ST) No.23819 OF 2025
AND
INTERIM APPLICATION No. 15096 OF 2024

Mr. Dudwadkar Tanish Praphull And Anr ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7253 OF 2024
AND
INTERIM APPLICATION (ST) No.23160 OF 2025

Mrs. Nirmala Devraj Kandbala ...Petitioner
Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 7028 OF 2024
AND
INTERIM APPLICATION (ST) No.23839 OF 2025
AND
INTERIM APPLICATION No.15106 OF 2024

Mr. Roshan Rajendra Jadhav

...Petitioner

Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 7246 OF 2024
AND
INTERIM APPLICATION (ST) No.23157 OF 2025

Mr. Jaidev Vaman Gaikwad

...Petitioner

Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 5510 OF 2024
AND
INTERIM APPLICATION (ST) No.25115 OF 2025

Mr. Santosh Popat Indalkar

...Petitioner

Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 7252 OF 2024
AND
INTERIM APPLICATION (ST) No.23136 OF 2025

Mrs. Jyoti Baban Devkule

...Petitioner

Versus

The Union Of India And Ors

...Respondents

WITH
WRIT PETITION NO. 7027 OF 2024
AND
INTERIM APPLICATION (ST) No.23798 OF 2025

Mrs. Bhagyashree Rane

...Petitioner

Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7248 OF 2024
AND
INTERIM APPLICATION (ST) No.25108 OF 2025

Mr. Subhash S Panhalekar ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15922 OF 2024
AND
INTERIM APPLICATION (ST) No.23824 OF 2025

Mr. Santosh Pandurang Jadhav ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 12199 OF 2023
AND
INTERIM APPLICATION (ST) No.23843 OF 2025

Anil Devaji Nawale ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 7245 OF 2024
AND
INTERIM APPLICATION (ST) No.34155 OF 2024
AND
INTERIM APPLICATION (ST) No.22734 OF 2025

Ashok Maruti Berade ...Petitioner
Versus
The Union Of India And Ors ...Respondents

WITH
WRIT PETITION NO. 15651 OF 2024
AND
INTERIM APPLICATION (ST) No.25120 OF 2025
AND

INTERIM APPLICATION (ST) No.34179 OF 2024

Krishna Maruti Berade

...Petitioner

Versus

The Union Of India And Ors

...Respondents

WITH

(NOT ON BOARD TAKEN ON BOARD MATTERS)

WRIT PETITION NO. 17472 OF 2024

AND

INTERIM APPLICATION (ST) No.22736 OF 2025

AND

INTERIM APPLICATION (ST) No.34160 OF 2024

WITH

WRIT PETITION NO. 11961 OF 2023

AND

INTERIM APPLICATION (ST) No.25118 OF 2025

WITH

WRIT PETITION NO. 12454 OF 2023

AND

INTERIM APPLICATION (ST) No.23803 OF 2025

WITH

WRIT PETITION NO. 14790 OF 2023

AND

INTERIM APPLICATION (ST) No.22748 OF 2025

AND

INTERIM APPLICATION (ST) No.25111 OF 2025

WITH

WRIT PETITION NO. 12200 OF 2023

AND

INTERIM APPLICATION (ST) No.23309 OF 2025

WITH

WRIT PETITION NO. 11963 OF 2023

AND

INTERIM APPLICATION (ST) No.23307 OF 2025

AND

INTERIM APPLICATION (ST) No.34009 OF 2024

WITH

WRIT PETITION NO. 11965 OF 2023

AND
INTERIM APPLICATION (ST) No.23313 OF 2025
AND
INTERIM APPLICATION (ST) No.24162 OF 2024

Mr. V. A. Gangal with Mr. Anurag Kulkarni, with Ms. Shweta Parab and Mr. A. P. Mandlik, for Petitioner.
Mr. A.I. Patel, Additional Government Pleader with Ms. Savita Prabhune, AGP for the State.
Mr. Pradnya R. Bansode, for Respondent No.2.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 17 SEPTEMBER 2025.

P.C.

1. This batch of petitions raises common issues of facts and law. The prayers as made in the petitions are also common. Illustratively, we are noting the prayers in the first petition being Writ Petition No. 12197 of 2023 (*Mr. Ganesh Bhikaji Chavan vs. Union Of India & Ors.*) which read thus:

“a) This Hon’ble Court is pleased to call for record and proceeding from respondent No.2 and 3 and after verifying the legality and propriety they be pleased to issue writ of Certiorari and any other appropriate writ or order or direction and quash and set aside the impugned notice No. K.D./Te-2/Bhusampadan/DFCCIL/Ka.V.1110/23 Dated:21/08/2023 Exhibit B herein.

b) Issue writ of Mandamus and/or any other appropriate writ, order or directions and direct respondent No.2 & 3 not to take possession of petitioners room unless and until determining and paying the compensation for structure of the petitioner standing on the part of the land being survey No.23 Village Bhopar, Taluka Kalyan, District Thane.”

2. The petitioners in the present proceedings are claiming directions in respect of their rooms/tenements which were constructed between 2012 to 2019 on the land bearing Survey No.23, Village Bhopar, Tal. Kalyan, District Thane. In respect of the land in question, a land acquisition award was passed in the year 2013 for the purpose of acquisition by respondent No.2 – Dedicated Freight

Corridor Corporation established by Union of India, which is not in dispute. It appears that there is dispute in regard to the legality of the construction which was undertaken on the said survey number and in respect of which a notice dated 21 August 2023 i.e. the impugned notice came to be issued by the Sub Divisional Officer, Kalyan, calling upon the petitioners to hand over possession of their tenements as they were on the land which was acquired and subject matter of award dated 19 March 2013. The petitioners accordingly approached this Court in the present proceedings seeking protective reliefs as noted by us hereinabove.

3. The petitions have since then remained pending. Interim Applications are placed on record by some of the petitioners, the prayers in which are similar. We may refer to Interim Application (st) No.34153 of 2024 in Writ Petition No.11967 of 2023 (*Mrs. Monika Mohan Gavankar Vs. The Union of India & Ors.*) wherein a specific statement has been made that the present proceedings were listed before appropriate Bench on 3 October 2023 at Sr.Nos.47 and 48, however, the matters did not reach till the rising of the Court and hence, no ad-interim protection was granted. It is stated that on 4 October 2023 in the morning, the respondent's officials came with the police machinery and have demolished the structures in question which were the chawls despite persistent opposition from the petitioners. In this view of the matter, it clearly appears that the prayers as made in the petitions challenging the notices directing the petitioners to vacate the premises, has become infructuous.

4. Mr. Gangal, learned Senior Counsel for the petitioners, however, submits that the petitioners have an entitlement to claim compensation in respect of their

structures which were demolished. As these are not the prayers in the petitions, we accept Mr. Gangal's request that the petitioners be permitted to make appropriate applications in the event the petitioners are entitled to receive compensation. The applications be listed before the Designated Officer. Mr. Gangal states that such applications would be made within a period of six weeks from today. If such applications are made, the same be decided by the Designated Officer in accordance with law. All contentions of the parties in that regard are expressly kept open.

5. We accordingly disposed of these petitions in terms of the aforesaid orders. No costs.

Order on Interim Applications

6. These interim applications are filed by the petitioners whereby prayers are made to amend the petition and place on record their claims for compensation. As we have already permitted the petitioners to take recourse under the procedure in law to claim compensation, such Interim Applications would not survive. All such contentions of the petitioners in the Interim Applications are expressly kept open. All the Interim Applications are accordingly disposed of. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)