



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2377 OF 2025

Sarita Jayesh Bhoir

... Petitioner

Vs.

The Collector, Thane Rural & Ors.

... Respondents

Mr. Vishal Kanade a/w. Iftekhar Sayed i/b. Rajesh Singh, Rahul Singh, Sarita Chaudhary, Saurav Singh, Ashish Singh, Rajesh Singh & Associates for the petitioner.

Mr. Akshay Shinde for respondent no. 3/MMRDA.

Ms. Sirat N. Khan i/b. Mr. Kamlesh Tiwari for respondent no. 4.

Mr. P.P. Kakade, Addl. G.P. a/w. Ms. M.P. Thakur, AGP for respondent nos. 1,2 and 5.

CORAM: G. S. KULKARNI &
ARIF S. DOCTOR, JJ.
DATED: 27 JUNE, 2025

P.C.

1. We have heard Mr. Kanade, learned counsel for the petitioner on this petition and Mr. Akshay Shinde, learned counsel for the MMRDA. During the course of his submissions, Mr. Shinde has submitted that the construction of illegal warehouse which is sought to be objected by the petitioner and subject matter of the present proceedings, has already been regularised on a regularization application filed by the owner/respondent no. 4 and to that effect, an order dated 6 June 2023 was passed by the Competent Officer of the MMRDA, however, subject to the terms and conditions.

2. In this view of the matter, we are of the opinion that if the petitioner

is aggrieved by the regularization, he needs to file a proper petition raising all contentions as permissible including the contentions as urged in the present petition. We keep open all contentions of the parties on the proceedings.

3. We may also observe that in the event there are any non-compliances of the conditions of regularization, we express no opinion on the same, as the MMRDA is free to take all actions as may be permissible in law. All contentions of the parties in that regard are expressly kept open.

4. Disposed of with liberty to the petitioners to file a fresh proceedings as observed hereinabove. No costs.

(ARIF S. DOCTOR, J.)

(G. S. KULKARNI , J.)