

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6231 OF 2025

Surekha Ramhari Ekhande

...Petitioner

Versus

Pimpri Chinchwad Municipal Corporation

Through Its Commissioner & Ors

...Respondents

Mr. Kunal Damle and Mr. Aashish Ghabhale i/b Jay & Co, for Petitioner.

Mr. Deepak More a/w Mr. Shivram Gawade for Respondent No.1/PCMC.

Mrs. S. A. Prabhune, AGP for State.

CORAM : G.S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATE : 12th JUNE, 2025.

P.C:

1 This petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs:

“a. That this Hon'ble Court may be pleased to direct the Respondent No. 1 to produce the records and proceedings of so-called anti-encroachment drive being carried out in the area of Chikhali and Kudalwadi and after perusing the same, the Respondent No. 1 may be directed to stop the anti-encroachment drive which is being carried out since January 2025 relentlessly in and around Chikhali and Kudalwadi area of the Respondent No. 1.

b. That this Hon'ble Court may be pleased to direct the Respondent No. 1 not to evict the Petitioner and her family members from the residential premises situated on Gat No. 1633 ad 1634, Chikhali, Pimpri-Chinchwad Municipal Corporation, Taluka: Haveli, Dist.: Pune and demolish the same without following the due process of law.

c. That this Hon'ble Court may be pleased to direct the Respondent No. 1 to restore the premises of the Petitioners which have been demolished on 04.03.2025 situated on Gat No. 1633 ad 1634, Chikhali, Pimpri-Chinchwad Municipal Corporation, Taluka: Haveli, Dist.: Pune.”

2 We have heard the learned counsel for the parties. It appears that the

petitioner's structure which was affecting the road line, has already been demolished. In so far as the remaining private plot of land of the petitioner is concerned, the petitioner intends to undertake a development.

3 In such view of the matter, we are of the opinion that the petitioner can take recourse to law and submit the appropriate plans for undertaking construction. If the same are submitted, the Municipal Corporation shall consider the said plans and take an appropriate decision in that regard within a period of 30 days from filing of the said plans. All contentions of the parties in that regard are expressly kept open.

4 At this stage, learned counsel for the petitioner states that possibly there would not be any further demolition. In the event, if there is any further demolition of the remaining structure being proposed, a 48 hour notice be issued to the petitioner, so that the petitioner can take appropriate steps as may be permissible in law. All contentions in this regard are also expressly kept open.

5 Petition stands disposed of in the aforesaid terms. No costs.

[ARIF S. DOCTOR, J.]

[G.S. KULKARNI, J.]