

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9403 OF 2025

We Care Foundation ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

WITH
INTERIM APPLICATION (STAMP) NO. 28119 OF 2025
IN
WRIT PETITION NO. 9403 OF 2025

Swarajya Welfare Association ... Applicant

In the matter between

We Care Foundation ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

.....

Mr. Majid Anwar Ibji for the Petitioner.

Ms. Savita A. Prabhune, AGP for the Respondent-State.

Mr. Kaushik Mhatre, Special Counsel for CIDCO.

CORAM : **G. S. KULKARNI AND**
MANJUSHA DESHPANDE, JJ.

DATED : **20th AUGUST, 2025.**

P.C. :

1. Not on board. Taken on board.
2. An application has been made on behalf of the petitioner for extension of ad-interim orders granted by this Court on 09.07.2025. We are informed that the reply-affidavit is filed by respondent No.2. However, the same is not placed on record. Respondent No.3-Navi Mumbai Municipal Corporation is also served. However, no reply affidavit is filed.
3. Let the same be filed on or before the adjourned date of hearing.

Copy of the same also be served on the Advocate for the petitioner and the other respondents.

4. We are informed by the learned counsel for the CIDCO that the Gram Panchayat has filed Writ Petition No. 8986 of 2023. The said petition pertains to the assignment of this Bench. The same be also tagged along with the present petition. If it is not pertaining to the assignment of this Bench, liberty to the parties to apply to the Hon'ble Chief Justice for clubbing both the matters together. We shall proceed to hear the parties as a short issue is involved. In our, prima-facie, opinion, the issue is required to be resolved, as the facilities which were provided and subject matter of the impugned notice are the essentials at the site of the grave yard as contended on behalf of petitioner. In the event, if there is any pending regularization application, the same is required to be considered by the appropriate authority, and a decision in that regard be taken on or before the adjourned date of hearing.

5. Copy of this order be brought to the notice of the concerned officer by the Advocate for respondent No.2. The Advocate for the petitioner shall also serve the copy of this order on the Commissioner of Navi Mumbai Municipal Corporation.

6. Accordingly, we shall hear the parties on the adjourned date of hearing.

7. Ad-interim orders passed earlier shall continue to operate till the adjourned date of hearing.

8. Permission to CIDCO to place on record additional affidavit.
9. Stand over to **10.09.2025**. High on board.

(MANJUSHA DESHPANDE, J.)

(G. S. KULKARNI, J.)