

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9412 OF 2025

Nandkumar Patil

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. A. R. Gole for the Petitioner.

Mr. V. G. Badgujar, AGP for the Respondent Nos.1 to 3.

CORAM : M. S. KARNIK AND
N. R. BORKAR, JJ.

DATED : 16th JULY, 2025.

P.C. :

1. Heard learned counsel for the petitioner and learned AGP for respondent Nos.1 to 3.
2. Relief sought for in the present petition is for direction to respondent Nos.1 to 3 to take action in accordance with law for demolition of the unauthorised construction and removal of encroachment on the land bearing old survey No. 323, new survey No. 33/2 at village Goddeo, Taluka Bhayandar, District Thane as well as all illegal construction made by respondent Nos.6 and 7 on the adjoining lands.
3. Learned AGP for respondent Nos.1 to 3 submits that copy of the petition has been served just now and hence requested for some time.
4. Considering the nature of the order we are inclined to pass, affidavit-in-reply is not necessary. Suffice it to observe that the petitioner alleges encroachment by the respondent Nos.6 and 7. Learned counsel

for the petitioner submitted that the Additional Tahsildar, Mira-Bhayandar has already issued notice under Section 50(3) of the Maharashtra Land Revenue Code, 1966 which is required to be taken to its logical conclusion. After hearing all concerned including the petitioner, the Additional Tahsildar, Mira Bhayandar is directed to take notice dated 22.12.2023 to its logical conclusion.

5. Notice be taken to its logical conclusion within a period of 12 weeks. The petitioner undertakes to place on record a copy of this order before the Additional Tahsildar within a period of one week.

6. The petition is disposed of in above terms.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)