



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9415 OF 2025

Ansari Nihal Ahmed

... Petitioner

Vs.

The Bhiwandi-Nizampur City Municipal Corporation & Ors. ... Respondents

Mr. Mohit Jadhav a/w. Ms. Kajal Chourasia and Mr. Manish Shirke for the petitioner.

Mr. Mayuresh Lagu a/w. Mr. Sagar Patil for respondent no. 3.

CORAM: G. S. KULKARNI &
MANJUSHA A. DESHPANDE JJ.

DATED: 4 SEPTEMBER, 2025

P.C.

1. This petition was disposed of by an order dated 17 July 2025 passed by the co-ordinate Bench of this Court, of which one of us (G.S. Kulkarni, J.) was a member. In paragraph 7 of the said order, the Court had directed the Municipal Corporation to examine the relevant records concerning the construction and adjudicate whether it is unauthorized or illegal and if so, an appropriate action in accordance with law be taken. It was directed that this be undertaken within four weeks from the date on which a certified copy of the said order is served on respondent no. 2. For reporting compliance, the proceeding was made returnable for today.

2. Mr. Lagu appears for the legal heirs of respondent no. 3. He submits that respondent no. 3-Saiyda Mohd. had expired in the year 2013 and hence the son of respondent no. 3 would now be pursuing the legal rights whichever had accrued in favour of deceased respondent no. 3.

3. We are keeping open all such contentions to be urged, to be now considered by the designated officer of the Municipal Corporation and after examining the issue in terms of our orders, further appropriate action is required to be taken if it is ultimately concluded that the construction in question is illegal. Let the designated officer hear all the parties afresh on 9 September 2025 at 3 p.m. and a decision in accordance with law be taken for further action to be initiated on or before 16 September 2025. All contentions of the parties are expressly kept open.

4. The proceedings are accordingly made returnable for compliance on **25 September 2025.**

(MANJUSHA A. DESHPANDE ,J.)

(G. S. KULKARNI ,J.)