

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10163 OF 2025

Padu Hira Gira & Ors.

... Petitioners

Vs.

The State of Maharashtra & Ors.

... Respondents

Mr. Vineet Naik, Senior Advocate a/w Nikhil Patil a/w Rupesh Geete and Avesh Ganja i/by Satyaki Law Associates for the Petitioners.

Mr. P. P. Kakade, Addl. GP a/w Ms. Kavita N. Solunke, AGP for the Respondent-State.

**CORAM : M.S. KARNIK &
N.R. BORKAR, JJ.**

DATE : 29TH JULY 2025

PC. :

1. Heard Learned Counsel for the parties.

2. Mr. Naik, Learned Senior Counsel for the Petitioners has invited our attention to the order dated 30th September 2024 passed by this Court. He pointed out the relevant facts for our consideration. Suffice it to observe Paragraph No. 5 of the said order, which reads thus:

“5. Accordingly the following order is passed:

- a) *Clause 1 of the communication dated 15 March 2024 issued by the Urban Development Department is quashed. The proceedings are remitted to the Chief Secretary for considering the extent of land that can be kept aside pursuant to the earlier reports that have been submitted by the Revenue Department for consideration. While undertaking this exercise, the Chief Secretary is free to take steps to have fruitful co-ordination between the Revenue Department as well*

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as the Urban Development Department. Similarly, the representatives of the Petitioners and Interveners are also entitled to be heard in the matter.

- b) To facilitate consideration of this issue, a public notice may also be given to the occupants of Survey No.49 at Mauje Valavali, Taluka – Panvel, District – Raigad. The CIDCO through its authorized officer would also be entitled to participate in the deliberations. It is made clear that the individual rights of the Petitioners and the Interveners are not being decided at this stage. All contentions in that regard are kept open. The necessary exercise be completed preferably within a period of three months of receiving copy of this order.”*

3. Mr. Kakade, Learned Additional Government Pleader for the Respondent-State, on instructions, submits that in compliance of the above order dated 30th September 2024, the then Chief Secretary constituted a Committee to facilitate the hearing and make recommendation. It is submitted that the Committee has already forwarded the recommendation to the competent authority. Mr. Kakade submits that appropriate decision will be taken by the competent authority within a period of six weeks from today.

3. The Petition can be disposed of by accepting the statement made by Mr. Kakade that appropriate decision in terms of the order dated 30th September 2024 passed by this Court shall be taken within a period of six weeks from today.

4. It is made clear that we have not examined any contentions raised in this Petition on merits. In case any adverse order is passed by the State Government against the interest of the Petitioners, liberty to the Petitioners to challenge that order is kept open as also liberty for the Petitioners to raise the contentions which are part of this Petition is also kept open.

5. The Petition is disposed of in the aforesaid terms.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)