

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

WRIT PETITION NO. 10549 OF 2025

Santosh Kalpanath Jaiswal

.. Petitioner

Vs.

Dahanu Municipal Council, through
its Chief Officer & Ors.

.. Respondents

...

Mr. Yatin Malvankar with Mr. Swapnil Shanbhag i/by Jinal Atul Sanghvi, Advocates for petitioner.

Mr. Nitin Gangal i/by Prapti Karkera, Advocates for Respondent Nos.1 and 2.

Mr. O. A. Chandurkar, Addl. Government Pleader with Mrs. G. R. Raghuvanshi, AGP for Respondent No.4-State.

Mr. Karan Bhosale, Advocate for Respondent No.5.

...

**CORAM : SHREE CHANDRASHEKHAR, ACJ &
AARTI SATHE, JJ**

DATE : 4th SEPTEMBER 2025.

P.C. :

The petitioner, a resident of Room No.2, Kati Road, Near Malyanmmarathi School Malyan, Dahanu (W), Thane, Maharashtra has made as many as 9 prayers in this writ petition out of which 6 prayers were incorporated through amendment. At the time when this writ petition was filed by him, the petitioner had made a prayer seeking a direction upon the respondent nos.-1 and 2 to decide his representation dated 4th July 2025 vide Exhibit-E (page 44 to page 47). He had also made a consequential prayer for supplying copy of the order passed under section 8 of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975. The petitioner refers to the public notice dated 29th April 2025 which was issued in the daily newspapers inviting objections.

2. The learned counsel for the petitioner submits that the objections lodged by the petitioner on 21st May 2025 vide Exhibit-B at page 20 of the writ petition were not decided by the respondents-Authorities and an order came to be passed on 23rd May 2025. The learned counsel for the petitioner further submits that the stand taken by the respondents-Authorities in the reply affidavit filed on their behalf that they have taken some permission from another Authority cannot be countenanced in law inasmuch as the mandate under the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, being a special legislation, must be adhered to and followed by the respondents-Authorities.

3. On a glance at the order dated 23rd May 2025, we gather that the objections raised by as many as 19 persons were considered and detailed consideration on the objections by all such persons has been made. There is a reference of actual inspection report dated 4th April 2025 and the order passed by this Court in the said order dated 23rd May 2025. It further appears that a hearing was conducted on 22nd May 2025 at 11.00 a.m. in the office of the Chief Officer, Dahanu Nagar Parishad. The petitioner who allegedly lodged his objections on 2nd May 2025 cannot have a grievance against the said order because similar objections were raised by other persons and have been dealt with in the order dated 23rd May 2025.

4. Writ Petition No. 10549 of 2025 is dismissed.

[AARTI SATHE, J.]

[ACTING CHIEF JUSTICE]