

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

WRIT PETITION NO.11034 OF 2025

Laxmi Vilas Jadhav

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr.R. D. Suryawanshi a/w Suraj Naik, Ketkee Kamble,
Advocates for the Petitioner.

Ms.S. D. Vyas, Addl. G.P. a/w M.M. Pabale, AGP for the
Respondent/State.

**CORAM : B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.**
DATE : AUGUST 12, 2025

P. C.

1. The above Writ Petition seeks a declaration that land bearing Survey No.91 of village Zidke, Sajja Ambadi, Taluka Bhiwandi, District Thane is not a protected forest and the provisions of the Indian Forest Act are not applicable to the said lands. In the alternative, a mandamus is sought to direct the Respondents to consider and decide the claim application of the Petitioner dated 13th August 2013 and 23rd June 2023 filed before the Forest Rights Committee formed under the

Schedule Tribes and other Traditional Forests Dwellers (Recognition of Forest Rights) Act, 2006.

2. The matter has been urgently moved before us today because there is an order passed on 7th July 2025 by Respondent No.3 ordering demolition of the structures (dwelling house) of the Petitioner. In short, it is the case of the Petitioner that under the provisions of the Schedule Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 the Petitioner would be entitled to regularize her dwelling house.

3. Ms.Vyas, learned Addl.G.P. appearing on behalf of the Respondents seeks time to file an affidavit-in-reply to the above Writ Petition.

4. Acceding to her request, we direct that the affidavit-in-reply shall be filed on or before 2nd September 2025 and a copy of the same shall be served on the advocates for the Petitioner.

5. We now place the above matter on 4th September 2025 under the caption for ‘ad-interim reliefs’.

6. We direct that in the meanwhile, and without prejudice to the rights and contentions of the parties, the Respondents shall not take any coercive steps pursuant to the order dated 7th July 2025.

7. We make it clear to the parties that we may dispose of the above Writ Petition at the ad-interim stage itself, time permitting.

8. Stand over to 4th September 2025.

9. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]