

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11394 of 2025

Maharashtra Academy of Engineering and Research Centre, Pune. ...Petitioner

Vs

The Collector Pune and Ors.

...Respondents.

Mr. Surel Shah, Senior Advocate with Mr. Shubham Shinde i/b. Ishann Kapse, for
Petitioner.

Mr. Rajan S. Pawar, AGP for the State.

Ms. Shakuntala Wadekar with Mr. Yogesh G. Thorat, Respondent Nos.5 & 6.

**CORAM: G. S. KULKARNI &
AARTI A. SATHE, JJ.**

DATE: 29 SEPTEMBER 2025.

P.C.

1. Not on board taken on board on a praecipe as moved on behalf of the
petitioners.

2. This petition under Article 226 of the Constitution is filed praying for the
following substantive reliefs:-

A. This Hon'ble Court be pleased to issue Writ of Certiorari or
any other appropriate writ, order or directions thereby calling for records
and proceedings from the office of Respondent No.1 to 4 in respect of
impugned Notification No.PLA/Kavi/709/2025 dated 22-28.05.2025
and the Notice Dated 05.08.2025 Ref. No./la.17/ No. Chovisawadi/ 28-B
Vahantal/ Kalam 21(1)(2)(3)/548 and be pleased to examine the legality
and validity of the same, and further be pleased to quash and set aside the
concerned Notification and the Notice as stated above.

B. This Hon'ble Court be please to issue Writ of Certiorari or any
other appropriate writ, order or directions thereby calling for records and
proceedings from the office of Respondent No.1 to 4 in respect of
impugned letter No.ANP/Bandh/2092/2019 dt. 12.12.2019 and be
pleased to examine the legality and validity of the same and further be
pleased to quash and set aside the concerned letter/notification as being
unilateral and therefore bad in law.

C. In alternative, this Hon'ble Court be pleased to issue Writ in
the nature of Mandamus or any other appropriate writ, order or direction

by directing the Respondent Authorities to acknowledge, hear and dispose off with appropriate reasons the objections as taken by the Petitioner with regard to the acquisition notification dt. 22.-28.05.2025, furthermore this hearing may be held by following all the basic principles of natural justice. D.

This Hon'ble Court be pleased to issue Writ in the nature of Mandamus or any other appropriate writ, order or direction by directing the concerned authorities to initiate a departmental enquiry against Respondent No.5 Officer, on the ground of corruption and misappropriating without following due procedure of law."

3. Although a challenge is raised to the Notification dated 22-28 May 2025 issued by the State Government under the provisions of Section 126(4) of the Maharashtra Regional and Town Planning Act, 1966, in regard to the acquisition of the land for the purpose of parking and Darshanbari, there is also a challenge to the notice issued under Section 21(1),(2),(3) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. (Exhibit J to the petition- page 196), under such notice the petitioner is entitled to file an objection which is to be heard on the scheduled date of hearing i.e. on 7 October 2025 when the petitioner can be represented by its advocate. The petitioner so far has not raised any objection to the notice. In this view of the matter, without such objection being raised by the petitioner to the notice and any objection of the petitioner being considered and decided by the competent authority, in our opinion, the petition itself is premature. Let such objections be raised in writing which be considered by the competent officer issuing such notice, and in the event, there is any prejudice in any order which would be passed by the competent authority, the petitioner would certainly have a legal remedy, to approach the appropriate forum as may be permissible in law.

4. In this view of the matter, we are not inclined to entertain this petition at

this stage. Keeping open all contentions of the parties, this Writ Petition is disposed of.

5. Needless to observe that in the event any action is to be taken qua the petitioner's land, an advance notice of one week be issued to the petitioner.

6. Disposed of in the aforesaid terms. No costs.

(AARTI A. SATHE, J.)

(G. S. KULKARNI, J.)