

Digitally signed
by GAYATRI
RAJENDRA
SHIMPI
Date:
2025.09.17
19:00:56 +0530

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

WRIT PETITION NO. 12000 OF 2025

Doshi and Mehta Associates ... Petitioner
Versus
Union Territory of Dadra and Nagar Haveli
and Daman & Diu Through the
Collector & Anr. ... Respondents

Mr. Bhavesh Parmar a/w Ms. Reshma Nair i/b Mr. Devmani Shukla,
Advocates for the Petitioner.
Mr. Jimit Shailesh Doshi of the Petitioner-Firm present in court.
Mr. Sanjay Jain a/w Mr. Harsh Dedhia, Advocates for all Respondents.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 15th SEPTEMBER, 2025

P.C. :

1. The representative of the Petitioner is present in the Court.
2. The learned Advocate for the Petitioner submits that beyond whatever demolition of the writ property/structure has been made, the Corporation should not further escalate the demolition. It is assured that the Petitioner would not step into the said area and would not initiate either the repair work or any further development work or any construction of a temporary or permanent nature, whatsoever. A remedy

to prefer an Appeal under the Dadra and Nagar Haveli and Daman and Diu Town and Country Planning Act, 1974 is available and they would avail of the same.

3. In view of the above, we record the statement of the Petitioner. If the said statement is resiled from or if the Petitioner undertakes any type of activity in the writ property, the protection granted by this Court, would lose its efficacy forthwith.

4. Since the Petitioner is preferring an appeal to the Competent Authority, the Petitioner shall follow the statutory regime as is prescribed under the 1974 Act and should not take a detour and rush to this Court after the Appeal is filed. If the Appeal is filed within 15 days, it would be dealt with by the Competent Authority as is permissible in law and a reasoned order would be passed.

5. The protection granted by this Court would last for a period of 15 days, within which time the Petitioner would prefer the Appeal. Thereafter, since the Appeal would be decided by the Authorities, there would be no question of any precipitative action. Once the Appeal is decided, this order would lose its efficacy.

6. The due procedure laid down in law shall be followed while deciding the Appeal and we expect, after the hearing in the Appeal is over, a reasoned order in the Appeal would be passed within a period of 45 days thereafter.

7. With the above directions and observations, **this Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)