

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12051 OF 2025

Dattaram Hallya Madvi.

... Petitioner.

V/s.

The Municipal Commissioner, Navi
Mumbai Municipal Corporation & ors.

... Respondents.

Mr. Rajendra Singh Saluja, Advocate for Petitioner.

Mr. P.G. Sawant, AGP for Respondent Nos. 3 and 11/State.

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

DATE : 24th SEPTEMBER, 2025

P.C. :

1. The Petitioner, as a private individual is aggrieved that the private Respondent Nos. 7, 8, 9 and 10, have encroached upon a portion of his land and have resorted to a construction.

2. This is purely a dispute between private individuals. The Petitioner will have to avail of a remedy by approaching the Civil Court seeking joint measurement of the lands, marking of boundaries, identifying the portion of encroachment and then seek an order of

removal of encroachment and possession of the encroached portion. Such disputed issues cannot be entertained in a Writ Petition.

3. The learned Advocate for the Petitioner submits on instructions that the Petitioner will approach the Civil Court and prefer a Civil Suit.

3. In view of the above, this **Writ Petition is disposed off** as withdrawn on instructions. All contentions are kept open and the withdrawal of this Petition would not be an impediment for the Petitioner to canvas all his grounds and contentions before the Civil Court.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)