

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12292 OF 2025

Alpeshkumar Bajaniya.

... Petitioner.

V/s.

Municipal Commissioner,
Kalyan Dombivali Municipal
Corporation & ors.

... Respondents.

Mr. Sidheshwar Biradar, Advocate for Petitioner.

Ms. Nisha Mehra, AGP for Respondent No. 4/State.

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

DATE : 13th OCTOBER, 2025

P.C. :

1. The Petitioner has not divulged his details and there is no information set out in the pleadings as to how is he aggrieved by the alleged unauthorized structure. He claims to be a businessman and nothing is set out in the Petition to indicate what is his business. A structure of Ground Plus Five Floors is constructed and after the entire structure has been erected, the Petitioner now claims that his right of way is affected.

2. Let the Petitioner approach the Civil Court and establish his right of way and make out a case as to how he is aggrieved by the said structure.

3. At this juncture, the learned Advocate for the Petitioner prays for leave to withdraw the Petition since the Petitioner would approach the Civil Court. He further prays that all contentions be kept open.

4. In view of the above, this **Petition is disposed off as withdrawn** on instructions.

5. If the Petitioner prefers a Civil Suit, all contentions are kept open, including the aspect of the locus of the Petitioner.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)