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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16721 OF 2025

1. M/s. NVH India Auto Parts Pvt. Ltd., A Pvt. Ltd. Company, incorporated under the Companies Act, 2013, Having its registered office at : Gat No. 35, 36, 37, 38 and 42, Plot No. B, Village Mangarul, Taluka Mawal, District Pune – 410 507, Through its Authorized Signatory:

Mr. Jung Hyng Gu.

Age: 41 Years, Occ: Service

2. M/s. Kakade Stone Crusher
A Proprietary Concern Having registered office at: RMK Square, Near Nutan Engineering College, Talegaon Dabhade, Taluka Maval, District Pune – 410 507, Through its Proprietor:

Mr. Ramdas Mahadev Kakade

Age: 61 Years, Occ: Business

Office at:- RMK Square, Near Nutan Engineering College, Talegaon Dabhade, Taluka Maval, District Pune – 410 507

3. M/s. RMK Infrastructure Pvt. Ltd.
A Pvt. Ltd. Company, incorporated under the Companies Act, 1956.

Having its office at: RMK Square,
Third Floor, Near Nutan
Polytechnic, Vishnupuri, Talegaon
Dabhade (station), Taluka Maval,
District Pune – 410 507

Through its Authorized Signatory:

Mr.Ranjit Ramdas Kakade

Age: 37 Years, Occ: Business

Office at :- RMK Square, Third
Floor, Near Nutan Polytechnic,
Vishnupuri, Talegaon Dabhade
(station), Taluka Maval,
Dist Pune – 410 507

... Petitioners

Versus

1. The Urban Development
Department,
State of Maharashtra through its
Principal Secretary, Having its
Office at: Mantralaya, Mumbai –
400 032
2. The Pune Metropolitan Regional
Development Authority, Pune
(PMRDA),
Through its Commissioner, Having
its Office at : 3rd Floor, PCNTDA,
New Administrative Bldg. Near
Akurdi Railway Station,
Pune – 411 044
3. The Superintendent of Land
Records, Pune, having office at:
Government Bungalow No.1,
Samata Nagar, Airport Road, Near
Ishanya Mall, Yerawada,
Pune – 411 006
4. The Taluka Inspector of Land
Records, Maval having office at :
Tehsil Office Building, Near
Railway Station, Vadgaon, Taluka
Maval, Pune, Maharashtra 412 106

5. The State of Maharashtra,
Through G.P.Office,
High Court, Mumbai ... Respondents

AND
WRIT PETITION (ST) NO.39229 OF 2025

1. M/s. PHA India Private Ltd.
A Pvt. Ltd. Company, incorporated
under the Companies Act, 2013
Having its registered office at :
Gat No.35, 36, 37, 38 and 42,
Plot No. C, Village Mangarul,
Taluka Mawal, District Pune – 410 507
Through its Authorised Signatory :
Mr. J. Chakarvarthy
Age : 50 Years, Occ : Service
2. M/s. Kakade Stone Crusher
A Proprietary Concern
Having registered office at :
RMK Square, Near Nutan Engineering
College, Talegaon Dabhade,
Taluka Maval, District Pune – 410 507
Through its Proprietor :
Mr. Ramdas Mahadev Kakade
Age : 61 Years, Occ : Business
Office at : RMK Square,
Near Nutan Engineering College,
Talegaon Dabhade, Taluka Maval,
District Pune – 410 507
3. M/s. RMK Infrastructure Pvt. Ltd.
A Pvt. Ltd. Company, incorporated
under the Companies Act, 1956
Having its office at : RMK Square,
Third Floor, Near Nutan Polytechnic,
Vishnupuri, Talegaon Dabhade (station),
Taluka Maval, District Pune – 410 507
Through its Authorised Signatory :
Mr. Ranjit Ramdas Kakade
Age : 37 Years, Occ : Business

Office at : RMK Square, Third Floor,
Near Nutan Polytechnic, Vishnupuri,
Talegaon Dabhade (station),
Taluka Maval, District Pune – 410 507Petitioners

Versus

1. The Urban Development Department
State of Maharashtra through its
Principal Secretary,
Having its Office at : Mantralaya,
Mumbai – 400 032
 2. The Pune Metropolitan Regional
Development Authority, Pune
(PMRDA), Through its Commissioner
Having its Office at : 3rd Floor
PCNTDA, New Administrative Bld.,
Near Akurdi Railway Station,
Pune – 411 044
 3. The Superintendent of Land Records,
Pune, having office at : Government
Bungalow No.1, Samata Nagar,
Airport Road, Near Ishanya Mall,
Yerawada, Pune – 411 006
 4. The Taluka Inspector of Land Records,
Maval having office at : Tehsil Office
Building, Near Railway Station,
Vadgaon, Taluka Maval, Pune,
Maharashtra – 412 106
 5. The State of Maharashtra
Through G.P. Office,
High Court, Mumbai
-Respondents

AND
WRIT PETITION (ST) NO. 39230 OF 2025

1. M/s. Sungwoo Hightech Pune Pvt.
Ltd. Company, incorporated under
the Companies Act, 2013. Having

its registered office at: Gat No. 35,
36, 37, 38 and 42, Plot No. A,
Village Mangarul, Taluka Mawal,
District Pune – 410 507

Through its Authorized Signatory:

Mr.Mu Yong Kim

Age: Adult 48, Occ: Service

2. M/s. Kakade Stone Crusher

A Proprietary Concern, Having
registered office at: RMK Square,
Near Nutan Engineering College,
Talegaon Dabhade, Taluka Maval,
District Pune – 410 507, Through
its Proprietor:

Mr.Ramdas Mahadev Kakade

Age: 61 Years, Occ: Business

Office at:- RMK Square, Near
Nutan Engineering College,
Talegaon Dabhade, Taluka Maval,
District Pune – 410 507

3. M/s. RMK Infrastructure Pvt. Ltd.

A Pvt. Ltd. Company, incorporated
under the Companies Act, 1956.
Having its office at: RMK Square,
Third Floor,

Near Nutan Polytechnic,
Vishnupuri, Talegaon Dabhade
(station), Taluka Maval, District
Pune – 410 507

Through its Authorized Signatory:

Mr.Ranjit Ramdas Kakade

Age: 37 Years, Occ: Business

Office at :- RMK Square, Third
Floor, Near Nutan Polytechnic,
Vishnupuri, Talegaon Dabhade
(station),

Taluka Maval, Dist Pune – 410 507 Petitioners

Versus

1. The Urban Development
Department,

State of Maharashtra through its
Principal Secretary, Having its
Office at: Mantralaya, Mumbai –
400 032

2. The Pune Metropolitan Regional
Development Authority, Pune
(PMRDA),
Through its Commissioner, Having
its Office at : 3rd Floor, PCNTDA,
New Administrative Bldg. Near
Akurdi Railway Station, Pune –
411 044
 3. The Superintendent of Land
Records, Pune, having office at:
Government Bungalow No.1,
Samata Nagar, Airport Road, Near
Ishanya Mall, Yerawada, Pune –
411 006
 4. The Taluka Inspector of Land
Records,
Maval having office at : Tehsil
Office Building, Near Railway
Station, Vadgaon, Taluka Maval,
Pune, Maharashtra 412 106
 5. The State of Maharashtra,
Through G.P.Office,
High Court, Mumbai
- ... Respondents

Mr.G.S.Godbole, Senior Advocate i/b. Mr.Chetan R. Nagare,
Mr. Dhananjay Kale and Mr.Prasad Avhad for the Petitioners in all
Petitions.

Mr.Milind Sathe, Advocate General i/b. Mr. Rohit Sakhadeo for
Respondent No. 2/PMRDA in all Petitions.

Mr.P.P.Kakade, Addl.GP with Mr.S.H.Kankal, AGP for the
Respondent -State in WP No. 16721 of 2025.

Ms.Priyanka Chavan, AGP for the Respondent -State in WP (St.) No. 39229 of 2025.

Mr.A.K.Naik, AGP for the Respondent -State in WP (St.) No. 39230 of 2025.

Mr.Harshal Wale, HR Deputy Manager of M/s. NVH India Auto Parts Pvt. Ltd. is present.

Mr.Prafulla Chavan, HR Manager of M/s. PHA India Private Ltd. is present.

Mr.Pratap Adivale, HR Manager of M/s. Sungwoo Hightech Pune Pvt. Ltd. is present.

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

RESERVED ON : 17th DECEMBER, 2025

PRONOUNCED ON : 19th DECEMBER, 2025

JUDGMENT *(Per: Ravindra V. Ghuge, J.)*

1. Rule. Rule made returnable forthwith and heard finally, with the consent of the Parties.

2. Petitioner No.1 in the first Petition is M/s. N.V.H. India Auto parts Pvt. Ltd. Petitioner No.1 in the second Petition is M/s. P.H.A. India Pvt. Ltd. Petitioner No.1 in the third Petition is M/s.

Sangwoo High-Tech Pune. The contesting Respondents in all these matters is the Pune Metropolitan Regional Development Authority ('P.M.R.D.A.') and the Urban Development Department, State of Maharashtra ('U.D.D.').

3. Considering the order that we are passing, we are not required to advert to the entire submissions of the Petitioners represented by the learned Senior Advocate, Mr. Godbole, the learned Advocate General of the State of Maharashtra on behalf of the P.M.R.D.A. and the learned Addl. G.P./AGP, on behalf of the State.

4. Suffice it to say that the controversy before us, admittedly, is that these Petitioner factories have commenced manufacturing process after constructing the factory buildings without approved plans and occupancy certificates.

5. The factual matrix is quite interesting. A large plot of land admeasuring 2,01,260 sq. meters at Mangrul, Taluka Maval, District Pune in Gut No.35/B, 36, 37, 38 and 42, belonged to Petitioner Nos. 2 and 3. P.M.R.D.A is a Special planning Authority

for this area. The second and third Petitioners, who are the original owners of the entire large plot of land, had made an application for planning permission for the entire plot. The initial commencement certificate was issued on 07/8/2023 to the second and third Petitioners in all these three Petitions.

6. Petitioner Nos. 2 and 3, in the Petition filed by M/s. NVH India Auto Parts Pvt. Ltd., had made an application for planning permission for the entire plot for which the commencement certificate was granted on 07/8/2023. Subsequently, an application for amendment of the commencement certificate was made, which was sanctioned on 26/6/2024, subject to certain conditions enumerated therein. These two Petitioners then subdivided the plot, without permission of the statutory authority, as Plots A, B, C and D. On such basis, application for permission was filed on 19/6/2025. Such plots were sold to the Companies, which are Petitioner No.1 in all these Petitions. The sub-division was not finally approved and no separate Gut numbers or survey numbers, were given to such plots, by the statutory authorities.

7. Earlier, building permission was granted on 07/8/2023

only for the area admeasuring 4232.97 sq. meters on Plot-B. The mutation entry no.1786 was with reference to Plot-B admeasuring 21,482 sq. meters, which was sold by these two Petitioners to Petitioner No.1 Factory, vide the Sale Deed dated 19/7/2024. On 23/01/2025, the Petitioner Company applied for revision of the building permission dated 26/6/2024, admitting that the earlier approved area was 4232.97 sq. meters and an additional area under revision was admeasuring 8119.84 sq. meters.

8. On 01/4/2025, P.M.R.D.A. addressed a communication to the Petitioner Company, raising questions in respect of the said revision. On 19/6/2025, all the Petitioners applied for the revised layout of the land identified as Plot-B.

9. On 25/6/2025, P.M.R.D.A. addressed Petitioner Nos.2 and 3, informing them that the ongoing construction was not carried out as per the Revised Commencement Certificate dated 26/06/2024. Petitioner Nos.2 and 3 replied to P.M.R.D.A. on 30/06/2025, stating that they had sold the land to different purchasers (i.e. the Petitioner Companies before us).

10. On 15/7/2025, the P.M.R.D.A. issued the stop work notice under Section 53 (1) (a) of the Maharashtra Regional and Town Planning Act, 1966 (**‘the Act of 1966’**) directing the Petitioner companies to stop the ongoing work and remove the irregular construction. The P.M.R.D.A. has raised objections on account of deficiencies like ‘no sanction of final layout’, ‘no building permission/regularization’ and ‘deficiencies of occupancy certificates’.

11. The above dates and sequence of events are admitted by the parties, especially, all the Petitioners. Mr. Godbole, on instructions from the Officers/Petitioners present in the Court, submitted that one company has invested around Rs.100 Crores and the other two companies have invested around Rs.1,000/- Crore, each. It is admitted that there are several deficiencies and the companies do not have the completion certificates and occupancy certificates. It is pointed out that the Director, Industrial Safety and Health has issued factory licenses in favour of each of these companies. The Fire Department has also issued the provisional NOC when the Petitioner companies did not have the Completion Certificate and Occupancy Certificate and the Building Construction

was against the sanctioned layout.

12. Taking into account the gross irregularities indulged into by these Companies as well as the original owners, we called upon Mr. Godbole to state as to why we should not pass a strict order and impose heavy costs and order demolition. He submitted, on instructions from the Officers present in the Court, that one company which has invested Rs.100 Crores, would deposit Rs.50,00,000/-, and the other two companies who have invested amounts of around Rs.1,000/- Crores each, would deposit Rs.1 Crore each, with the P.M.R.D.A. to show their *bonafides*.

13. It was further prayed that the manufacturing activities in these three companies may not be prohibited since one company engages 40 trainees, 15 staff members and 45 contract labourers. In another company, 60 staff members, 90 trainees and 850 contractual employees are engaged and in third company, 20 staff members, 48 trainees and 85% contractual employees are engaged. If the manufacturing activities in these three companies are brought to a standstill, all these employees would lose their monthly earnings and would suffer an irreparable loss.

14. The learned Advocate General has tendered an exhaustive chart indicating the procedure that these three companies will have to follow in order to get the compliances done, obtain complete development permissions and seek regularization of the illegal structures, as far as they can be legally regularized. A copy of the said chart (8 Pages) is taken on record and collectively marked as 'X' for identification. The said chart 'X' is signed by Ms Smita Kalkutki, Metropolitan Planner, P.M.R.D.A., Pune with the approval of the Metropolitan Commissioner, P.M.R.D.A. 'X' is handed over in the Court Hall to Mr. Godbole, by the learned Advocate General.

15. Mr. Godbole submits, on instructions, that these Petitioners would strictly follow the procedure set out in the compilation 'X'. Amounts of Rs.50 lakhs and Rs.1 Crore each (2 Companies), respectively, would be delivered to the P.M.R.D.A. by 23/12/2025. In fact, the demand drafts were handed over to the P.M.R.D.A. today, but the name of the payee was wrongly mentioned in all the demand drafts and, hence, returned. Fresh demand drafts would be tendered on 23/12/2025. It is further prayed that the submission of P.M.R.D.A., that the manufacturing activities

should be stopped until the regularization process is completed, may not be accepted by the Court.

16. We have recorded the statement of the Petitioner companies. We are, however, shocked by the fact that these Petitioner companies, who claim to be South Korean Companies, have set up factories in Pune by showing blatant disregard to the rules and procedures applicable. They even succeeded in getting the NOC from the Firefighting Department and Factories licenses from the Director of Industrial Safety and Health, Mumbai, Mr. Dipak Uttamrao Pokale. The State Government needs to investigate into these acts of the Authorities and initiate appropriate remedial strict steps.

17. Since the Petitioner companies have expressed their unequivocal willingness to follow the procedure set out in the compilation 'X', by consent, **these Petitions are disposed off** with the following directions : -

- a) These companies/Petitioners would commence the process as set out in compilation 'X', with effect from 02/01/2026. In the interregnum, they would start preparing

their documentation as is required under the compilation 'X'.

b) The P.M.R.D.A. would depute a Senior Officer who will personally monitor this procedure, stage wise.

c) The Petitioners/companies would follow the procedure meticulously, on a war footing without any delay.

d) The above exercise would be completed within a period of 180 days from 02/01/2026.

e) The P.M.R.D.A. would apportion/debit all such statutory fees and payments which would have been required to be paid by these companies in this process, from the amounts that would be deposited on 23/12/2025. If the expenditure is more than the amounts deposited, these companies would be liable to deposit such amount with P.M.R.D.A. without delay.

f) In the process of regularization, if any penalty, costs, damages etc. are to be imposed, recovered from these companies, the said amount should be adjusted from the amounts deposited. If such amounts are more than the amounts deposited, these companies would be liable to pay

such amounts to the PMRDA without delay.

18. We have considered the request of the companies that the manufacturing activities in the factories may not be prohibited until the entire process under 'X' is completed, only for the fact that more than 1000 employees are working in these factories. For no fault on their part, their earnings would be stopped and they would suffer irreparable harm, manifest inconvenience and grave hardships. Though the Petitioners have admitted the illegalities committed by them, we have noted the fact that they have volunteered to deposit the amounts with the PMRDA to show their *bonafides*. Hence, we are not directing the halting of the manufacturing activities only to protect the interest of the employees.

19. Therefore, we direct these Petitioner companies that they would not dispense with the services of such employees. Since the Industrial Relations Code, 2020 (the erstwhile Model Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946) are applicable to such companies, and taking into account that no company can indulge in manufacturing activities on

the strength of trainees and contractual employees, we would expect the learned Additional G.P. to communicate to the Deputy Commissioner of Labour, in-charge of the Industrial Area under the P.M.R.D.A., to visit these factories on or before 24/12/2025, carry out a thorough inspection and prepare documentation of all the employees working with whatsoever nomenclature, in all the three shifts, inclusive of all categories narrated by the Petitioner companies before us, and prepare a proper record. Effective steps be taken for preventing exploitation of such employees.

20. For recording stage wise compliances, we would be listing these Petitions for recording such compliance, once in each month. For the present, these disposed off Petitions would be listed on 30/01/2026 and thereafter, on the last Friday of each month.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)