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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 394 OF 2025
WITH
INTERIM APPLICATION NO. 9792 OF 2025**

Mr. Anant Sakharam Bhoir and Ors ... Appellants

vs.

State of Maharashtra through the ... Respondents
Collector, Thane and Ors

Mr. Girish Godbole, Senior Advocate a/w. Mr. Sandeep Mishra a/w.

Ms. Madhura Mulay for Appellants.

Ms. Chaitrali Deshmukh for Respondent -Corporation.

CORAM : GAURI GODSE, J.

DATED : 2nd SEPTEMBER 2025

ORDER:

1. Learned counsel for the corporation had taken time to take instructions whether the corporation is willing to adopt due process of law for implementing the proposed project.

2. Learned counsel for the corporation on written instructions submits that the impugned notice is already acted upon. Learned senior counsel for the appellants strongly opposes this statement. He points out that the notice impugned in the suit is without any reference to any provision of law. He points out that 48 hours notice

was given to the appellants to remove the construction.

3. I have perused the notice dated 28th February 2025. Notice does not refer to any provision of law for taking action as stated in the notice. Hence, arguable points are made out in the appeal. Hence, admit.

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4. Rule on interim relief in terms of prayer clauses (a) and (b) is made returnable on 18th November 2025.

5. The corporation is at liberty to file affidavit-in-reply before the next date.

6. Till further orders there will be ad-interim relief in terms of prayer clauses (a) and (b) qua the suit properties described in paragraph no. 3 of the plaint.

(GAURI GODSE, J.)