

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

**PUBLIC INTEREST LITIGATION NO. 143 OF 2022
WITH
INTERIM APPLICATION NO. 10427 OF 2025**

Prashant Vasant Mahadik

... Petitioner/Applicant

V/s.

The State of Maharashtra
through the Principal Secretary,
Urban Development and Labour Departments
Mantralaya, Mumbai and Ors.

... Respondents

Mr. Akash D. Warang for Petitioner/Applicant
Mr.. Anand Kulkarni for Respondent No.2 - TMC
Ms. Neha S. Bhide, G.P. with Ms. R.A. Salunkhe, AGP for Respondent No.1

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 01 AUGUST 2025

P.C. :

1. This Petition has been filed as Public Interest Litigation. The Petitioner seeks a direction to the Respondents to decide the representation dated 26 October 2021 submitted by the Petitioner and the directions to the Respondent No.2 – Thane Municipal Corporation (TMC) to act in accordance with law. The Petitioner also seeks to restrain the Respondent Nos. 2 and 3 from allowing the construction of the structures in the middle of the road.

2. We have heard the learned Counsel for the Petitioner at length.

3. The width of the Development Plan Road No. 33, Wagle Estate, Thane as indicated in the Development Plan ought to be 30.5 meters. However, the actual width of the aforesaid road was only 24 meters. The Thane Municipal Corporation decided to widen the road up to the width indicated in the Development Plan. However, in the process of widening of the road, about 200 structures were getting affected. The Thane Municipal Corporation, therefore, decided that instead of widening the road upto 30.5 meters, the same be widened only upto 27 meters and to accommodate the affected structure occupiers in the remaining 3 meters wide at the land. Thus, the decision has been taken by the Thane Municipal Corporation to rehabilitate the affected structure occupiers who otherwise would have lost the source of their livelihood. The aforesaid structure occupiers have not been impleaded in this PIL.

4 There is no element of public interest, much less any substantial public interest, involved in the PIL. The same is misconceived and is accordingly, dismissed.

5. In view of dismissal of PIL, the Interim Application does not survive and is disposed of accordingly.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)