

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

CRIMINAL WRIT PETITION NO.4919 OF 2025

Mohammed Ilyas Khan

.. Petitioner

Vs.

The State of Maharashtra,

Through Urban Development Dept. and Ors.

.. Respondents

Mr. Samir Sarambalkar, Advocate for the Petitioner.

Ms. Malaxmi G., Additional Public Prosecutor for Respondent No.1.

Mr. P.P. Chauhan, i/by Ms. Komal Punjabi, Advocates for Respondent Nos.2 to 5.

**CORAM : SHREE CHANDRASHEKHAR, CJ. &
GAUTAM A. ANKHAD, J.**

DATE : 22ND SEPTEMBER 2025.

P.C. :

In this Writ Petition the petitioner seeks a direction to carry out investigation and take appropriate steps as per law including the incident in which the respondents removed all the machineries, instruments and four cars on 27th October 2023.

2. The petitioner states that pursuant to the order passed by the respondent no.3, the structure at the petitioner's premises was demolished and certain machineries, instruments and cars etc. were removed. According to the petitioner, his statement was recorded by the police on 1st February 2024 into the incident that took place on 27th October 2023. The petitioner further states that he received a letter dated 2nd April 2024 from the Pantnagar Police Station that no material was received by the Municipal Corporation while demolition took place on 27th October 2023.

3. Now leaving aside this issue that the petitioner has

appropriate remedy of approaching the Court/Authority which passed an order for demolition and in respect thereof the petitioner has filed complaint. The statement made by the petitioner and the response from the Pantnagar Police Station gives rise to a serious disputed question of fact and, for that reason, we are not inclined to entertain this Writ Petition. We are not taking cognizance of this Writ Petition also for the reason that an observation made by this Court on merits of the matter may cause prejudice to the parties who are engaged in litigation before the Court. Writ Petition No.4919 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]