



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 WRIT PETITION NO.14313 OF 2025

MOHAMMAD QUYYUM MOHAMMAD RAFIUDDIN SIDDIQUI AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA THROUGH THE DEPARTMENT OF URBAN
DEVELOPMENT AND OTHERS

...

Mr. D.P. Palodkar, Advocate h/f Mr. S.S. Khoche, Advocate for petitioners

Mr. S.B. Pulkundwar, AGP for respondent Nos.1 to 4

Mr. A.P. Bhandari, Advocate for respondent Nos.5 to 7

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 17th JANUARY, 2026

ORDER :

. Present petition has been filed for following relief :

“(A) The Hon’ble High Court may be pleased to issue an appropriate writ, order or direction, in the nature of writ thereby restraining respondent Nos.5 to 7 from taking any coercive steps, demolition, or forcible possession of the petitioners’ residential houses and properties situated at Gat Nos.105 and 106, Mitmita, Dist. Chhatrapati Sambhajnagar, as described in paragraph No.3 of this petition, which are affected by the proposed 18 mtrs. development

plan road under Modification EP (I)-51 (M-63), without following due process of law and without payment of compensation as contemplated under the Maharashtra Regional and Town Planning Act, 1966, read with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

2 We have heard learned Advocate Mr. D.P. Palodkar holding for learned Advocate Mr. S.S. Khoche for petitioners and learned Advocate Mr. A.P. Bhandari for respondent Nos.5 to 7.

3 Learned Advocate for respondent Nos.5 to 7 admits that the marking has been made. He makes statement, upon instructions, that if the notices as per the Municipal Corporation Act are not yet issued, then those would be issued and the proper procedure would be followed.

4 There is also no dispute on the point that extension of DP road plan is still pending with the State Government.

5 Under such circumstance, when there is an undertaking by the Municipal Corporation that proper procedure would be followed before any action of demolition is undertaken and the development plan is still pending for approval, we are of the opinion that on the basis of statement made on behalf of respondent Nos.5 to 7 the matter needs to be disposed of. We hope

and express that the legal procedure would be adopted by respondent Nos.5 to 7. Writ Petition stands disposed of.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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