

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 116 OF 2024

Rayat Kranti Sanghatana Karad
Through Vice President M.ambekari ...Petitioner
Versus
Chief Executive Officer Karad And Ors ...Respondents

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Ms. Benazir Jamadar i/b. Mr. Umesh Mankapur, Advocate for petitioner.

Mr. Dilip Bodake a/w. Sujata Lohar, Advocate for respondent no.1.

Mr. Vijay Patil Senior Advocate i/b. Yogesh Patil, Advocate for respondent no.4.

Mr. Kalpesh Patil, advocate for respondent no.5.

Mr. R. P. Kadam, B Panel Counsel for respondents-State.

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**CORAM : R.G. AVACHAT AND
AJIT B. KADETHANKAR, JJ.**

DATE : 2nd FEBRUARY, 2026.

ORAL ORDER: (PER AJIT B. KADETHANKAR, J)

1. The learned Advocate for the respondents invites our attention to the order dated 4th December 2025, of which paragraph Nos. 5 and 6 read thus:

5. As such, presently we are of the opinion that the cause carried in the present Public Interest Litigation has turned infructuous. In view of that, we are of the expressed opinion that the petitioner may have to take appropriate recourse, that to approach the Competent Civil Court for seeking proper relief in view of the subsequent developments of facts in the matter.

6. Learned Counsel in the morning has sought some time to take appropriate instructions from the petitioner. Now when the matter was called out, learned Counsel would submit that he could not contact the petitioner and therefore, some time be granted to make further submissions.

2. It is submitted that after hearing all the parties, this Court observed that the petition could be disposed of in the above terms. It is a matter of record that on 5th January 2026, the matter was again taken up before this Court, and the following order came to be passed:

1. Learned Counsel for the petitioner seeks time to amend the petitioner. Amendment to be carried out within a period of four weeks from today.
2. Stand over to 02.02.2026.

3. Today, the learned Advocate for the petitioner submits that on the earlier occasion some other Advocates had addressed the Court on behalf of the petitioner, and accordingly the said order

came to be passed. Its apparent that amendment is not still carried out in the petition.

4. The learned Advocates for the respective parties fairly submit that none of them could point out the order dated 4th December 2025 to this Court when the order dated 5th January 2026 was passed. As such, the order dated 5th January 2026 came to be passed without considering the observations made in paragraph Nos. 5 and 6 of the order dated 4th December 2025.

5. We note that the petitioner has claimed the following relief in the petition:

(a) This Hon'ble court be pleased to issue of writ of mandamus or any other writ in the nature of mandamus be pleased to quash and set aside building permission granted on 21.7.2017 issued by Respondent No.1 in favour of Respondent No.5;

6. The petition challenges the construction permission dated 21st July 2017 issued by Respondent No.1 in favour of Respondent No.5. During the pendency of the petition, it is a matter of record that Mr. Vijay Patil, Senior Advocate, appearing on behalf of Respondent No.4, and Mr. Kalpesh Patil, learned Advocate appearing for Respondent No.5, have placed on record the full

occupancy certificate issued by the Karad Municipal Council on 26th March 2024, thereby indicating that the construction pursuant to the said permission has reached its logical end and that the full occupancy certificate has been issued by the competent authority in accordance with law.

7. Mr. Patil, learned Senior Advocate for the respondents, further submits that the bank is fully functional at the said site. As such, the matter has become infructuous. The full occupancy certificate dated 26th March 2024 is taken on record and marked “X” for identification.

8. In view of the above, we are of the considered opinion that the petition has turned infructuous insofar as the reliefs sought therein are concerned. It is also pertinent to note that the petitioner has not carried out the amendment for which time was sought till date.

9. In view thereof, the Public Interest Litigation stands disposed of as infructuous.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT J.]