

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

WRIT PETITION NO. 12941 OF 2025

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Mata Savitribai Phule Magasvargiya Durbal
Ghatak Vikas Sahakari Gruhnirmaan Sanstha Ltd.

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. D.V. Sutar a/w Shruti Ghodake, Omkar Sutar, Reshma Adnaik for the
Petitioner.

Ms. T.J. Kapre, AGP for the Respondent - State.

.....

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

DATE : 6th JANUARY, 2026.

PER COURT :

1. Heard.

2. The Petitioner is a Co-operative Housing Society. The Respondent No.2 is alleged to have made some construction without obtaining prior permission of Respondent No. 2 - Grampanchayat. A communication made by the Grampanchayat to the Respondent No.3 is brought to our notice to indicate that the Grampanchayat, to have informed Respondent No.3 that the NOC of the Petitioner - Society is required for granting

permission for development. If at all, Respondent No.3 has made any unauthorized construction i.e. without permission of the local Authorities / Grampanchayat, the Grampanchayat may exercise its powers under the Village Panchayat Act.

3. The Petitioner is a Co-operative Housing Society and according to it, Respondent No.3 has made certain construction on the land of the Petitioner - Society. It is an encroachment. It being a private dispute, the Petitioner - Society may avail the remedy of a Civil Suit for removal of alleged encroachment. With the aforesaid liberty, we dispose of the Writ Petition without issuing notice in the matter.

4. The Writ Petition is disposed of.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]