ANANT KRISHNA NAIK
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10421 OF 2026

Tahseen Anjum Shafikullah Siddqui ...Petitioner
Versus
State Of Maharashtra & Ors ...Respondents

Mr. Y. Khan a/w. Adv. Khan Ali Raza for the Petitioner
Mrs. Neha S. Bhide, GP a/w. K. B. Dighe, Addl. GP, Ms Pooja Patil, AGP for the Respondent-State.
Mr. Anand Kulkarni a/w. Mr. Mandar Limay for the Respondent No. 2

CORAM : MAHESH CHANDRA TRIPATHI, CJ. &
ADVAIT M. SETHNA, J.

DATE : 1st OCTOBER, 2026.

P.C.:

1. Heard learned Counsel for the parties.

2. The instant Writ Petition is preferred for the following substantive reliefs:

"A. Issue a writ of mandamus or any other appropriate writ, order or direction directing Respondent No.1-State of Maharashtra, Respondent No.2-Thane Municipal Corporation, and Respondent No.5-Superintendent of Police, Anti-Corruption Bureau, to forthwith initiate independent, high-level, time-bound inquiry into the acts of omission, corruption, abuse of official position and dereliction of statutory duties committed by Respondent Nos. 3, 4, 6, 7, 8 and 9, as disclosed in the Petitioner's representation dated 17.11.2025 and subsequent complaint dated 02.01.2026.

B. Direct Respondent No.5 - Anti-Corruption Bureau to register offences under the Prevention of Corruption Act, 1988 and other applicable penal provisions against the delinquent officers of Thane Municipal Corporation, including Respondent Nos. 3, 4, 6, 7, 8 and 9, who facilitated and shielded unauthorized constructions in willful disobedience of orders passed by this Hon'ble Court.

C. Declare that the deliberate failure and inaction of Respondent Nos. 2 to 9 in preventing and demolishing unauthorized constructions,

despite categorical findings in official reports and binding directions of this Hon'ble Court, amounts to arbitrary exercise of power, mala fide abdication of statutory duties, and violation of fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India.

D. Direct Respondent Nos. 3, 4, 6, 7, 8 and 9 to personally compensate the Petitioner and 1.961 affected families for the loss of shelter, livelihood, and damages suffered due to their corrupt practices and deliberate inaction, and to deposit such compensation before this Hon'ble Court within a time-bound period.

E. Appoint an independent committee/commission under the supervision of this Hon'ble Court to monitor the inquiry, fix accountability, and recommend systemic safeguards to prevent recurrence of such large-scale unauthorized constructions within Thane Municipal Corporation limits.

F. Direct Respondent No.2- Thane Municipal Corporation to frame and implement transparent mechanisms for immediate detection, prevention, and demolition of unauthorized constructions, including mandatory public disclosure of sanctioned plans, inspection reports, and demolition orders.

G. Direct Respondent No. 10 - the Senior Inspector of Police, Daighar Police Station, to forthwith extend adequate and continuous police protection to the Petitioner and her family, and to ensure that no coercive, threatening, or retaliatory action is taken against the Petitioner, directly or indirectly, on account of instituting and prosecuting the present Writ Petition."

3. In the light of a previous Order passed by this Court, some steps were taken. However, thereafter, according to the learned Counsel for the Petitioner, there is substantial encroachment on the subject property. Learned Counsel for Petitioner has confined the relief at present to the representation dated 17th November, 2025 and a subsequent Complaint dated 2nd January, 2026 be decided in accordance with law.

4. Considering the factual situation as emerged before us, we are not inclined to issue Notice to the private Respondents, and/or keep this Petition pending. We

expect the Thane Municipal Corporation to decide the representation dated 17th November, 2025 and the subsequent Complaint dated 2nd January, 2026 filed by the Petitioners expeditiously, preferably within a period of three months from the date of production of a certified copy of this Order, in case there is no other legal impediment, certainly after giving ample opportunity of hearing to all stakeholders.

5. With the aforesaid direction, the Writ Petition is Disposed Of.

6. Needless to state, we have not adverted into the merits of the matter and all contentions of the parties are kept open.

[ADVAIT M. SETHNA, J.] [CHIEF JUSTICE]