IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12786 OF 2026

Manohar Dyanoba Pansare & Ors ...Petitioners
Versus
Pimpri Chinchwad Municipal Corporation & Ors ...Respondents

Ms Shradha Sawant for the Petitioners (through VC)
Smt. Neha Bhide, GP a/w. Shri O. A. Chandurkar, Addl. GP a/w. Smt. P. J. Gavhane, AGP for the Respondent-State

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

DATE : 5th OCTOBER, 2026.

P.C.:

1. Heard learned Counsel for the parties.

2. At the outset, learned Counsel for the Petitioners, who joined through Video Conferencing relied upon the Division Bench Judgment of this Court dated 28th September, 2022 in ***Nand Lalchand Badlani & Ors. vs. Pimpri Chinchwad Municipal Corporation through its Commissioner & Ors.***[1] wherein leave was accorded to the Petitioner to move an appropriate Application under Section 44 of the Maharashtra Regional and Town Planning Act, 1966 (for short "the MRTP Act") read with Rule 6 of the Maharashtra Development Plan Rules, 1970 (for short "the MDP Rules"). She submits that as the matter is squarely covered by this Judgment. Accordingly, similar indulgence may be extended in favour of the Petitioners. In response to the Impugned Notice, the Petitioners are inclined to file

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a detailed objection before the Respondent Authorities. She further submits that, at the same time, Petitioner may be granted leave in terms of the judgment in ***Nand Lalchand Badlani & Ors.*** (Supra) to press their case for regularization before the Competent Authority in view of the provisions contained under Section 44 of the MRTP Act read with Rule 6 of the MDP Rules.

3. Considering the factual situation as emerged before us, we are not inclined to issue notice to the private Respondents. We leave it open to the Petitioners to move an appropriate Application under Section 44 of the MRTP Act read with Rule 6 of the MDP Rules. In case any such Application is moved within two weeks from today, we expect the Competent Authority/Prescribed Authority to process the claim of the Petitioners in accordance with law preferably within three months from the date of production of a certified copy of this Order by the Petitioners.

4. Upon hearing the parties and in the given facts we direct that until disposal of the said Application by the Competent/Prescribed Authorities, parties shall maintain status quo as on today, which in our view would serve the ends of justice. The Petitioners are also restrained from carrying out any further development/construction or creating third party rights/interests, within the property.

5. With the above observations and directions, the Writ Petition is Disposed Of.

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

ANANT KRISHNA NAIK
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Date: 2026.10.06 17:52:35 +0530