IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13367 OF 2026

M/s. Star Enterprises
Ventures Private Limited .. Petitioner

Vs.

The State of Maharashtra & Ors. .. Respondents

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Mr. Akash Rebello i/by Apex Counsel Advocates & Consultants for the Petitioner.
Mrs. Neha S. Bhide, Government Pleader with Mrs. Apurva Thipsay, "B" PNL for Respondent Nos.1, 9 and 10.
Ms. Chaitrali Deshmukh for Respondent Nos.2 to 8 -TMC.

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

DATE : 13th OCTOBER, 2026.

P.C. :

1. By the instant Writ Petition, the Petitioner prays for the following substantive reliefs: -

> *"(a) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent Nos. 2 to 7 to forthwith inspect and verify the construction known as "SAJJAD ENCLAVES" situated on Survey No. 24/2, Village Kausa, Taluka and District Thane, including its sanctioned plans, development permission, commencement certificate, occupation/ completion certificate and other statutory approvals, and upon finding any construction to be unauthorised, illegal or in deviation of the sanctioned plans or statutory permissions, to forthwith initiate and complete the proceedings for removal and demolition of such unauthorised construction, strictly in accordance with the*

provisions of the applicable municipal, planning and development laws and without granting any further indulgence, regularisation or extension contrary to law;

(b) Direct Respondent Nos. 8 and 10, being the concerned authorities supplying water and electricity respectively, to forthwith disconnect and discontinue the water supply and electricity connections provided to the unauthorised construction/buildings situated on Survey No. 24/2, Village Kausa, Taluka and District Thane, upon verification by the competent authority that the said construction/buildings are unauthorised and/or are being occupied or used without valid statutory permissions, occupation certificate or other requisite approvals, and to ensure that no fresh or temporary water or unauthorised construction.

(c) pending such determination, direct the Respondents to restrain and prevent any further construction, addition, alteration, vertical extension or development in the said premises;

(d) Upon the construction being found unauthorised, illegal and/or non-compoundable, direct Respondent- Thane Municipal Corporation, through its competent officer, to forthwith lodge and/or register an FIR against the owner, developer, person responsible for and/or persons concerned with such unauthorised construction, for the offences punishable under the Maharashtra Regional and Town Planning Act, 1966, the Maharashtra Municipal Corporations Act, 1949, and such other applicable penal laws as may be attracted, and to take all consequential statutory and criminal action in accordance with law, including prosecution of the persons responsible for the said unauthorised construction.

(e) direct Respondent Nos. 2 to 7 to consider and report upon the Petitioner's earlier complaint bearing TMC Inward Acknowledgment dated 14.11.2024, including the action taken thereon, and place the relevant official record before this Hon'ble Court;

(f) direct the concerned authorities to provide necessary police assistance for enforcement of any lawful

demolition/removal order, if requisitioned by the competent authority;"

2. We have heard the learned Counsel appearing for the Petitioner and the learned Counsel for the Respondent-Thane Municipal Corporation. In view of the order that we propose to pass today, we are not inclined to issue Notice to the Respondents or keep the matter pending.

3. The grievance raised by the Petitioner vide the instant Writ Petition pertains to the alleged unauthorized construction carried out on land bearing Survey No.24/2, Village Kausa, Taluka and District – Thane, falling within the jurisdiction of Thane Municipal Corporation. It is submitted that earlier on 14th November, 2024 the complaint was made by the Petitioner in this regard. However, no action has been taken on it by the Respondent-Corporation. It is further submitted that the Petitioner again instituted a complaint on 10th September, 2026 addressed to the Respondent-Corporation. However, there is no action is taken on it until date.

4. Upon hearing the matter for some time, learned Counsel for the Petitioner confines the reliefs claimed in this Petition to a direction to the Respondent-Corporation to consider and decide the

complaint filed by it dated 10th September, 2026 (page 21 of the Writ Petition), in a time bound manner.

5. The learned Counsel for the Respondent-Corporation fairly submits that the aforesaid complaint of the Petitioner will be considered and decided by the Competent Authority of the Respondent-Corporation within the time stipulated by this Court.

6. Considering the fact situation of the matter, we are not inclined to advert to the merits of the aforesaid complaint. However, we direct the Competent Authority of the Respondent-Corporation to consider and decide the complaint dated 10th September, 2026 made by the Petitioner, as expeditiously as possible, preferably within a period of six weeks form the date of uploading of this Order, in case there is no other legal impediment, certainly after giving ample opportunity of hearing to all stakeholders.

7. With the aforesaid direction, the Writ Petition is Disposed Of, without adverting to the merits of the matter, leaving all contentions of the parties open.

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

PRAVIN DASHARATH PANDIT
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Date: 2026.10.13 19:43:47 +0530