

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8862 OF 2024

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Mangal Namdev Mokashi and Ors.

...Petitioners

V/s.

Pune Metropolitan Region Development
Authority (PMRDA) and Ors.

...Respondents

Mr.Girish Godbole (Sr.Advocate) i/b. Mr.Shivraj Patne and Mr.Aditya
Joshi, Advocates for Petitioners.
Smt.R.A.Salunkhe, AGP, for Respondents-State.

CORAM : M.S.KARNIK &
S. M. MODAK, JJ.

DATE : 18th MARCH 2026

P.C. :-

1. Heard learned Senior Advocate Shri.Godbole for the Petitioners.
2. This Petition is filed for direction to the Respondent–PMRDA to forthwith initiate an action under Section 18 of the Maharashtra Regional and Town Planning Act, 1966 (“**MRTP Act**”) and the applicability of the statutory provisions in respect of their complaints dated 5th October 2023, 6th October 2023, 10th October 2023 and 16th November 2023 annexed to this Petition. As a consequence, it is prayed that the Respondent No.1 forthwith demolish and remove the

one storeyed structure constructed by the Respondent Nos.6 to 9 on the subject land which is the subject matter of this Petition. Our attention is invited by learned Senior Advocate to the photographs which are on record to demonstrate the situation of the suit structure.

3. Learned Senior Advocate Shri.Godbole submitted that the PMRDA has issued a “*Stop Work Notice*” in respect of the subject structure on 30th November 2023 which is at Page No.94 of the paper-book. However, despite the said notice, the Respondent Nos.6 to 9 proceeded with the unauthorized construction. It is the grievance of learned Senior Advocate Shri.Godbole that the PMRDA has not taken any steps pursuant to the “*Stop Work Notice*” dated 30th November 2023.

4. Learned Senior Advocate fairly submits that though there are civil proceedings pending between the parties, however, the issue in the present Petition is concerning the unauthorized construction put up by the Respondent Nos.6 to 9.

5. Considering that the show cause notice has been issued by PMRDA, we are satisfied that if the structure in question is unauthorized, the PMRDA is expected to take the notice issued against the subject structure to its logical conclusion in accordance with law,

expeditiously and in any event, within a period of 16 weeks from the date of communication of the order, subject to any legal impediments. Before taking action, it is open for the PMRDA to hear the Petitioners as well as the Respondent Nos.6 to 9 and follow the procedure laid down by law.

6. With these observations, the **Petition stands disposed of.**

(S. M. MODAK, J.)

(M. S. KARNIK, J.)