

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 12351 OF 2024

Salim Ahmed Shabbir Ansari

...Petitioner

Vs.

The State of Maharashtra
and Ors.

...Respondents

ALONGWITH
CIVIL WRIT PETITION NO. 6736 OF 2026
ALONGWITH
INTERIM APPLICATION NO. 4086 OF 2026
IN
CIVIL WRIT PETITION NO. 6736 OF 2026

Anwar Mohd Ishaq
Momin and Anr.

...Petitioners

Vs.

Bhiwandi Nizampur
City Municipal Corporation
and Ors.

...Respondents

Adv. Noorain Patel - Advocate for the Petitioner i/by Umar Dalvi in
WP No. 12351 of 2024

Ms. Kavita N. Solunke – Addl. GP with Smt. R. A. Salunkhe – AGP
for the Respondent

Adv. Mandar Limaye a/w Adv. Vedant Bende – Advocate for Petitioner
in WP 6736 of 2026

Adv. N. R. Bubna a/w Adv. N. R. Bubna – For Respondent Nos. 2 to 7

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

DATE : 12th JUNE 2026

P. C. :-

1. Heard Mr. Patel, learned counsel for the Petitioner in Writ Petition No. 12351 of 2024, Mr. Limaye, learned counsel for the Petitioners in Writ Petition No. 6736 of 2026, Mr. Bubna, learned counsel for Respondent Nos. 2 to 7 and learned AGP for Respondent-State.
2. The Writ Petition No. 12351 of 2024 is filed for taking action of demolition against the subject structure. The details of which are mentioned in the petition. The case for Petitioner is that the structure in question was constructed without any permission and hence seeking directions for taking action against the subject structure for demolition.
3. However, owner of the offending structure filed Writ Petition No. 6736 of 2026 in which he states that an application for regularization was made for which NOC was obtained from the Corporation. Shri Bubna, learned counsel for the Corporation accepts that the NOC for submitting an application for regularization has been granted.
4. In such view of the matter, Corporation to decide the application for regularization within a period of six weeks from today on its own

merits in accordance with law.

5. The deficiencies, if any, in the application of regularization should be communicated by the Corporation to the Petitioner within a period of two weeks from today and within two weeks thereafter, the Petitioner shall comply with such deficiencies.

6. The action of the demolition is subject to the impediment of the decision on the application for regularization. If the application for regularization is decided against the Petitioner, then the Petitioner shall take steps to remove the offending structure or the Corporation shall take appropriate action for demolition. In any case, to whatever extent the application for regularization is allowed, that part of the offending structure which is not regularized shall be removed by the Petitioner.

7. It is open for the Petitioner in Writ Petition No. 12351 of 2024 to raise objection to the application for regularization.

8. Both Writ Petitions are disposed of in terms of above said directions.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)