

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 17217 OF 2024
WITH
INTERIM APPLICATION (ST) NO.33548 OF 2025
IN
WRIT PETITION NO. 17217 OF 2024**

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Raakesh Rajendrakumar

..Petitioner

Versus

The State of Maharashtra & Anr.

..Respondents

Mr. S. G. Deshmukh a/w Mr. Kishor Patil, Ms. Sonal Dabolkar, Mr. Anish Kikle and Ms. Akshada N. i/b. Mr. Amol Mhatre for the Petitioner.

Smt. V. S. Nimbalkar, AGP for the Respondent – State.

Ms. Swati Sagvekar for Respondent No.2.

Ms. Trishala Shailish i/b. K P Law Associates LLP for Respondent No.5.

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

DATE : 17th MARCH 2026

PC :

1. Heard the learned counsel for the Petitioner.
2. The Petitioner is owner of the property. The Petitioner has approached this Court for reliefs in terms of prayer clauses (a) and (b) which read as :-

- “a) Issue appropriate writ, Order or direction thereby directing the Respondent no 2, Vasai Virar Municipal Corporation to take appropriate action as per the Provisions of law against the illegal and unauthorized construction constructed on Survey no 12pt, 86/2, 83/1, 84pt, 63/3 situated at Village Bapane and S. No. 200/1, 201, 203, 195/2, 184/2, 197/2, 178/5, 178/6, 200/3, 191/1, 190/1, 184/1b, 192/2, 194/7, 185/3, 192/5, 194/3, 185/5 situated at Village Chandrapada, Tal. Vasai, Dist. Palghar;*
- b) Issue appropriate writ, Order or direction thereby initiating and enquiring against the Officers of the Corporation for not abiding by the Orders passed by the Hon'ble Court dt. 12th June 2020, 5th December 2022 and 4th May 2023 passed by this Hon'ble Court in Writ Petition no. 12236/2019, 6163/2021 and Interim Application no. 4253/2023;”*

3. The learned counsel for the Petitioner submitted that, pursuant to the earlier directions issued by this Court, though some action has been taken, a substantial portion of the unauthorized structure still remains. For that, it is submitted that the action has not been taken within the time stipulated by this Court.

4. The learned counsel for the Corporation appeared and submitted that appropriate action is being taken against the structures which formed part of the earlier proceedings, as well as

those survey numbers which have now been included in this Petition. In fact, the learned counsel has placed on record the copies of the communication dated 16th March, 2026, addressed to the in-house lawyer, stating that the appropriate action is being taken against the unauthorized constructions. Also placed on record a copy of the communication dated 11th March, 2026, addressed to the Police Inspector of the concerned police station for seeking police protection.

5. The learned counsel for the Petitioner pressed for relief of initiating an enquiry against the officers of the Corporation for not abiding with the orders passed on 12th December, 2022, 5th December, 2022 and 4th May, 2023, in Writ Petition Nos. 12236/2019, 6163/2021 and Interim Application No.4253 of 2023.

6. At the request of the learned counsel for the Corporation, who submits on instructions that the Corporation is seriously taking all steps to ensure that the action is taken against the unauthorized structures, we direct the Corporation to ensure

that the action against such unauthorized structures is taken to its logical conclusion within a period of four months from today. The in-charge of the concerned police station to provide necessary police protection, at the request made by the Corporation, on payment of the necessary charges by the Petitioner.

7. The learned counsel for the Petitioner assures that the necessary charges for providing police protection shall be paid by the Petitioner on demand.

8. In view of the above, Writ Petition is disposed of. In view of disposal of Writ Petition, if any, pending Interim Application stands disposed of.

(S.M. MODAK, J.)

(M. S. KARNIK, J.)