

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 5594 OF 2024****IN****INTERIM APPLICATION NO. 451 OF 2025**

Mehmood Adam Dalvi

.....Petitioner.

Vs.

The State Of Maharashtra & Ors.

.....Respondents.

Mr. Mayuresh Modgi a/w Adv. Komal M. Gosavi i/by Adv. Sachin Hande for the Petitioner.

Mr. A.I. Patel, Addl. GP a/w. Smt. P.J. Gavhane AGP, for the Respondent Nos.1 to 3-State.

Ms. Ameeta Kuttikrishnan a/w Adv. Shubhada Khot i/by Daurish Patel and Adv. Shambhavi Desai in Intervention Application (Stamp) No.33615 of 2024.

**CORAM : A. S. GADKARI AND
R.M. JOSHI, JJ.**

DATE : 12th FEBRUARY, 2026.

PC.:-

1) This is a classic example as to how the persons usurp the lands of poor Adiwasi people who are the natives of Bhiwandi Taluka.

2) By this Petition, the Petitioner has challenged the Notice dated 25th February, 2024 issued by the Tahasildar, Bhiwandi, District Thane.

Prima facie it appears to us that, the Collector of Thane has not granted any

permission to the Petitioner either to transfer or utilize the land of Mr. Budhaji Devji Khale, an Adivasi, resident of Taluka Bhiwandi, District Thane and it is the reason, the Tahasildar has issued the said Notice dated 25th February, 2024.

3) Facing with the aforementioned difficulties, learned Advocate for the Petitioner on instructions seeks leave to withdraw the Petition with liberty to file a reply to the said impugned Notice dated 25th February, 2024, if not filed till today.

3.1) Leave and liberty granted.

4) Disposed off as withdrawn with aforesaid liberty.

5) It is made clear that, in the event, the Tahasildar proceeds to grant an opportunity of being heard to the Petitioner, it is imperative for the concerned Authority to hear the legal heirs of Budhaji Devji Khale.

6) In view of the disposal of Petition, nothing further survives in the Interim Application No.451 of 2025 and is also disposed off.

(R.M. JOSHI, J.)

(A.S. GADKARI, J.)