

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

WRIT PETITION NO.140 OF 2026

Bina Abdul Kabir ShaikhPetitioner

Versus

State of Maharashtra and Ors.Respondents

Mr. Aadesh M. Patil for the Petitioner.

Mrs. Nisha Mehra, AGP for Respondent Nos.1 and 2.

Ms. Tanu N. Bhatia for Respondent Nos.4 to 6.

**CORAM : RAVINDRA V. GHUGE
&
ABHAY J. MANTRI, JJ.**

DATE : 9th JANUARY, 2026

P.C. :-

1. The Petitioner has put forth prayer clause (a) that her objections dated 30th October, 2023 filed under Section 26(1) of the Maharashtra Regional and Town Planning Act, 1966 (MRTP Act), be decided within a stipulated time. However, in paragraph 14 of the Petition, the Petitioner has pleaded that the list of modifications has been published in the Draft Development Plan on 12th August, 2025, and that her objections have not been considered. The relief sought in the prayer is contrary to the pleadings.

2. In view of the above, on request, leave to delete prayer clause 23(a). Deletion to be carried out forthwith.

3. The learned Advocate for the Petitioner submits, on instructions, that since the issue is now pending before Respondent No.1, after Respondent No.1 takes a decision, the Petitioner may consider challenging the same, if aggrieved. For this purpose, it is submitted that the Petition may be disposed off and that all contentions be kept open.

4. In view of the above, **this Writ Petition is disposed off.**

5. In the event the Petitioner challenges the decision of Respondent No.1 under Section 31 of the MRTP Act, all contentions of the parties are kept open.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)