

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

WRIT PETITION NO.2688 OF 2026

Mehboob Alam Ansari ... Petitioner
Versus
State of Maharashtra and ors. Respondents

Adv. Hamza Khot (through VC), for the petitioner.

Mr. N. C. Walimbe, Addl.G.P. a/w Smt. P. M. J. Deshpande, AGP,
for the respondent-State.

Adv. Swapnil Patil, for respondent No.2.

Adv. Nidhi Chauhan (through VC) i/b. Adv. Vishwanath Patil, for
respondent Nos.3 and 4.

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

DATE : 26th MARCH, 2026

P.C. :

1. Heard learned counsel for the parties.
2. The petitioner seeks action for demolition of the illegal and unauthorised construction of the 2nd floor of the suit structure, which is the subject matter of this petition. It is the contention of learned counsel for the petitioner that despite show cause notice issued by the Maharashtra Pollution Control Board ("MPCB", for short) under the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention and Control of Pollution) Act,

1981, the MPCB has failed to take any action against the respondent No.5. Learned counsel for the MPCB appeared and placed on record the visit report. It is submitted that a show cause notice has now been issued on 24th March 2026 against the respondent No.5. She submits that the same will be taken to its logical conclusion in accordance with law. In view of the submission of the learned counsel for the MPCB, we direct the MPCB to take the show cause notice dated 24th March 2026 to its logical conclusion as expeditiously as possible in accordance with law.

3. The other grievance of the petitioner is that the structure is unauthorised. Learned counsel for the Corporation submits that the Corporation has already issued a notice on 24th March 2026 to the respondent No.5. The said notice may be taken to its logical conclusion in accordance with law expeditiously.

4. The writ petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)