

URMILA
PRAMOD
INGALE

Digitally
signed by
URMILA
PRAMOD
INGALE
Date:
2026.03.17
11:21:58
+0530

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

WRIT PETITION NO. 2708 OF 2025

Raakesh Rajendrakumar Agarwaal ... Petitioner
Versus
State of Maharashtra and ors Respondents

Mr. Sadashiv Deshmukh, Senior Advocate a/w Mr. Kishor Patil, Mr. Amol Mhatre, Ms.Sonal Dabholkar i/b Anvil Kalekar, for the Petitioner.
Dr. Dhruti Kapadia, AGP for Respondent No.1-State.
Ms.Swati Sagvekar, for the Respondents No. 2 to 4.

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

DATE : 16th MARCH 2026

P.C. :

1. Heard learned counsel for the petitioner and learned counsel for the respondents no. 2 to 4 – Vasai-Virar City Municipal Corporation (‘Corporation’, for short). The petitioner seeks direction to the respondents no. 2 to 4 – Corporation to demolish the unauthorized structures constructed by respondents no. 5 to 7 on the lands which are mentioned in prayer clause (B). Learned counsel for the petitioner submits that the Corporation has already

decided the issue regarding unauthorized construction by a reasoned order dated 15/02/2023 which is at page no. 61 of the petition. The petitioner is seeking implementation of the said order. Learned counsel for the Corporation invited our attention to the affidavit-in-reply which is at page 64 of the paper-book. Paragraph 11 of the said affidavit-in-reply reads thus :

“I say that pursuant to the said notice, the Corporation proposes to take an action against that said illegal and unauthorized structure erected by the Respondents.”

2. We have heard learned counsel for respondent no. 7. It is submitted that an appropriate application has been made for restoration of land as the same is tribal land. Such an application obviously will be decided on its own merits and in accordance with law.

3. Considering the stand of the respondent-Corporation in the affidavit-in-reply, as the action is proposed against the illegal and unauthorized construction made by the respondents no. 5 to 7, subject to any legal impediment, the order dated 15/12/2023 be taken to its logical conclusion expeditiously and in accordance with law and in any case within a period of 16 weeks from the

date of communication of this order.

4. With these directions, the writ petition is disposed of.

(S.M.MODAK, J.)

(M.S.KARNIK, J.)