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

WRIT PETITION NO.6217 OF 2025

Pandurang Hari Bhoir

..Petitioner

Versus

Kalyan Dombivali Municipal Corp. & ors.

..Respondents

Ms. Sadhna Singh for the Petitioner

Mr. Sandeep Dilip Shinde for Respondent Nos.1 and 2.

Shri M. M. Pable, AGP for the Respondent – State.

Mr. Girish Godbole, Senior Advocate, Counselor Mr. Sumit Kothare, Mr. Sameer J. Chitnis and Mr. Omkar A. Dandekar i/b. M/s. Chitnis & Co. for Respondent Nos.5 to 11 and 13.

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

DATE : 18th MARCH 2026

PC :

1. Heard the learned counsel for the Petitioner.
2. The grievance of the Petitioner is that Respondent Nos.5 to 11 are carrying out construction on Class II land without following due process of law as contemplated under the provisions of Maharashtra Revenue Code, 1966. The Petitioner is interested in buying a flat in a building named “SIGNATURE” situated at survey No.48, Village Navagav, Taluka kalyan, District Thane.

Upon enquiry, he received information from RTI, that the said building is legal. However, when he came across 7/12 extract online, he was shocked to find out that the subject plot is Government owned land. Further, though the land is an agriculture land, still the Town Planning Department of KDMC gave in writing that the construction is authorized.

3. The learned counsel for the Petitioner invited our attention to the copy of communication dated 17th December 2024, addressed to the Petitioner under RTI that the land in question is falls under Class – II.

4. Mr. Godbole, the learned Senior Counsel has invited our attention to a report of enquiry which was conducted by the Tehsildar. By the communication dated 20 May 2025, the Tahsildar concluded that the entry of Class II was wrongly made and necessary instructions have been issued to show the land as Class-I land.

5. There is no dispute that the building was constructed as per the sanctioned plans and after obtaining valid permission. The building was constructed as far back in 2021 and even the flat

purchasers have been occupying their respective premises after the occupation certificate for the building was obtained.

6. In view of the above, we do not find any reason to entertain the Petition at the instance of the Petitioner, who was only interested in buying a flat in the said building and in fact has otherwise no concern with the building in question.

7. The Petition is therefore dismissed.

(S.M. MODAK, J.)

(M. S. KARNIK, J.)