

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

WRIT PETITION NO. 6838 OF 2025

Aruna Naresh Chimda ... Petitioner
versus
Vasai Virar City Municipal Corporation & Ors. ... Respondents

...
Mr.Kishan Chaudhari for the Petitioner.
Ms.P.N.Diwan, AGP for the Respondent -State.
...

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

DATE : FEBRUARY 09, 2026

P.C:

1. We have heard the learned Advocate for the Petitioner for quite some time.

2. The Petitioner refers to the order passed by the District Collector on 09.10.2021 with regard to the disputed land, Survey No. 176/3/2. The Petitioner's name appears among 13 names in the 7/12 extract of Survey No. 176/5/1/A. However, the Petitioner's name does not appear in the 7/12 extract for Survey No. 176/5/2 or Survey No. 176/3/2. The order of the District Collector has nothing to do with the Petitioner's case.

3. The Petitioner is one of the 13 persons listed in the 7/12 extract for Survey No. 176/5/1/A at Village Pelhar, Taluka Vasai, District Palghar. She contends that there is an encroachment on the land. Her own share is yet to be demarcated. No suit has been instituted by the Petitioner for seeking partition or separate possession in Survey No. 176/5/1/A, which is said to be ancestral land belonging to her father, Kesharv Harvate.

4. Insofar as the alleged encroachment is concerned, four encroachers were before the District Collector regarding Survey No. 176/3/2. The application was filed by Mr. Dattu Bhikya Varta, Mr. Parshuram Bhikya Varta, Mrs. Prema Bhikya Varta, and Mr. Bhima Chitu Tumbada.

5. We find that the Petitioner first will have to approach the Civil Court to get her share carved out from Survey No. 176/5/1/A, as she is one of the 13 persons listed as Bhogvatadaar in the 7/12 extract. Similarly, the encroachers will have to be identified.

6. The learned Advocate for the Petitioner submits that the Petitioner would approach the District Collector, Palghar, with her grievance and seeks leave to withdraw the Petition.

7. In view of the above, this **Writ Petition is disposed off as withdrawn**, on instructions.

8. If the Petitioner approaches the District Collector, Palghar, a copy of this order shall be placed before the District Collector in the application tendered by the Petitioner.

9. Needless to state, all contentions of all the stakeholders, including the other 12 persons, are kept open.

(ABHAY J.MANTRI, J.)

(RAVINDRA V. GHUGE, J.)