

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

WRIT PETITION NO. 11188 OF 2025

Mr.Amir Mohommad Sabir Momin ... Petitioner
versus
Bhiwandi Nizampur Municipal Corporation & Ors. ... Respondents

...
Mr.Sangharsh Apte with Mr.Dinesh R. Sonawane i/b. Mr.Rahul Upadhyay
for the Petitioner.
None for the Respondents.

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

DATE : JANUARY 13, 2026

PC:

1. The Petitioner's share in the property, on which there is a purported encroachment, is yet to be crystallized, keeping in view the dispute between the legal heirs of the predecessor-in-title. If the Petitioner's rights are crystallized in the said dispute, he may have a voice for seeking removal of illegal structures/encroachments and recovery of possession.

2. In view of the above, the Petitioner is permitted to withdraw the Petition, keeping all contentions open. In the event the Petitioner's rights are crystallized to the extent of his share, he may avail of a remedy as is permissible in law.

3. With the above observations, **this Writ Petition is disposed off**
as withdrawn, on instructions.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)