

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12065 OF 2025**

Ekta Muslim Vikas Sanstha, KamothePetitioner

Versus

City & Industrial Development Corporation & Anr.Respondents

Mr. Naushad Ahmed i/b. Mr. Ibrahim Vakil, for the Petitioner.
Mr. Priyansh Jain a/w. Akshay Naik, Ms. Meghna Vijan i/b. Mr. Sagar Shetty, for Respondent No. 1.
Mr. Irfan A. Shaikh i/b. Mr. Shreekant Gavand, for Respondent No. 2.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.
DATE : 12th JANUARY, 2026**

P.C. :-

1. On 24th September 2025, none appeared for the Petitioner. We could have dismissed the Petition. However, we adjourned the hearing for passing a dismissal order.

2. Today, the learned Advocate for the Petitioner draws our attention to the prayer challenging the Notice dated 17.06.2025. He also draws our attention to the communication dated 15.04.2010, requesting the CIDCO Authorities to allot a suitable plot for a religious purpose, for a mosque for Muslims at Kamothe, Navi Mumbai.

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3. The learned Advocate representing CIDCO points out that the Petitioner had moved an application only for a temporary allotment of a plot for the purpose of prayers (offering Namaz during the religious Month of Ramzan). Such permission was granted for a limited period on 28.08.2009, with the direction that on 22.09.2009, the Pandal and the belongings of the Petitioner shall be shifted out of the premises. The grievance is that till today, the Petitioner does not have any valid permission and is squatting on the property.

4. The learned Advocate for the Petitioner submits that the application dated 15.04.2010, seeking an allotment of a plot, is still pending.

5. Considering the above, no land belonging to CIDCO or the Government or any Statutory Authority, can be squatted upon by any individual or association. If the Petitioner desires that an appropriate plot be allotted to the Petitioner for the purpose of regular prayers or for the construction of a Mosque, they would follow the due process of law and make an application. If the application is accepted by following the due procedure, the

Authorities may take a decision of grant of plot or a decision in accordance with the procedure applicable.

6. Needless to state, this Court has repeatedly cautioned that plots have to be allotted by auction or as per the approved procedure. Granting this liberty to the Petitioner to seek such a plot, **this Writ Petition is disposed off** without causing any interference with the impugned notice.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)