

SUNNY
ANKUSHRAO
THOTE
Digitally signed
by SUNNY
ANKUSHRAO
THOTE
Date:
2026.01.16
10:36:57 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15690 OF 2025

Avinash S/o Vasudev Somvanshi

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Shirish Kamble, Advocate for the Petitioner.

Mrs. P.N. Diwan, AGP for Respondent No.1/State.

Mr. Rohit Sakhadeo, Advocate for the Respondent/Corporation.

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

DATE : 13th JANUARY, 2026

P.C. :-

1. The Petitioner's grievance is that the Application dated 3rd May, 2025 seeking building permission from the Corporation, is pending. Insofar as Prayer Clause (C) is concerned, the Petitioner seeks a Writ of Mandamus for directing the Corporation to remove the encroachment as per the Judgment of the Trial Court dated 13th August, 1997 in Regular Civil Suit No.15 of 1994. We will not consider the said prayer. The Petitioner may avail of a remedy as is permissible in law.

2. Since the learned Advocate, Mr. Sakhadeo, is on the Panel of the Panvel Municipal Corporation, we requested him to render assistance to the Court. On the request of the Court, he has caused an appearance.

3. Since an innocuous prayer for deciding the Application is made, this **Writ Petition is disposed off** with a direction to Respondent No.3/Corporation to deal with the Application of the Petitioner on it's own merits and by following the due procedure laid down in law, within a period of 60 days.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)