

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

WRIT PETITION NO. 17304 OF 2025

Mr. Shivshankar Lalji Yadav & Ors. ... Petitioners
versus
Thane Municipal Corporation & Ors. ... Respondents

...
Mr. Sagar Patil for the Petitioners.
Mr. Mandar Limaye for the Respondent – Municipal Corporation.
...

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

DATE : JANUARY 07, 2026

P.C:

1. We have heard the learned Advocate for the Petitioners and the learned Advocate appearing on behalf of the Thane Municipal Corporation.

2. The issue pertains to the Petitioners operating masala grinding units using electricity and power-operated machines. The constant sound generated by the pounding of raw materials is the cause for the residents in the neighbourhood to file complaints with the Municipal Corporation. The neighbourhood seems to have been

irritated by the continuous pounding of the machines. The Petitioners commence their businesses in the morning and shut their shops in the evening.

3. The grievance of the Petitioners is that on 31/10/2025, officials of the Municipal Corporation sealed the Petitioners' shops. Further grievance is that in the area in which the Petitioners' shops are located, there are several other such shops involved in the same business. Information sought under the Right to Information Act reveals that some machine operators, whose machines were initially sealed, were subsequently de-sealed. It is, therefore, contended that the Petitioners have undertaken to modify their machines so as to reduce operational sounds, which would require approximately 10 to 12 days, for which, the shops have to be de-sealed. Upon completion of such modifications, the Municipal Corporation can examine the machines.

4. The learned Advocate for the Municipal Corporation submits, on instructions, that the Petitioners may be granted 14 days' time instead of 10 days, to carry out appropriate modifications in the

machines so as to reduce the sound levels. Thereafter, on a fixed date and time, the Municipal Corporation officials would visit the Petitioners' premises, and the machines would be operated one by one for measurement of sound levels in decibels. If there is no objection, the shops can run the business. If the sound levels exceed permissible limits, a fresh notice would be issued to the concerned Petitioners and, after granting an opportunity of hearing, a final order would be passed.

5. Insofar as the electricity supply having been discontinued by Maharashtra State Electricity Distribution Company Limited (MSEDCL) (Respondent Nos. 3 and 4) is concerned, the learned Advocate for the Municipal Corporation (Respondent Nos. 1 and 2) submits, on instructions, that if the modifications of the machines are in order, the MSEDCL would be informed to restore the electricity supply.

6. In view of the above, **this Writ Petition is disposed off.** The Municipal Corporation would de-seal the shops by **12:00 noon tomorrow** only to enable the Petitioners to commence modification

of their machines. However, the Petitioners would not be permitted to carry on business activities. The machines would be operated only for the limited purpose of modification through expert mechanics. Such modifications shall be carried out within 14 days from tomorrow.

7. The officials of the Municipal Corporation would then visit the shops of the three Petitioners at **11:00 am sharp on 23/01/2026**, and the machines would be switched on, one by one, to enable measurement of sound levels in decibels. The Petitioners would remain present at their respective shops. In the event any Petitioner remains absent or does not cooperate, this order would lose its efficacy qua such Petitioner, and the sealing order would continue to operate.

8. In the event the Municipal Corporation finds that the sound magnitude is within permissible limits, an order of de-sealing would be passed within 48 hours, and the concerned Petitioner would then operate his business. In the event the sound level is not within permissible limits, the Municipal Corporation would issue a

notice of hearing on or before 27/01/2026 and after granting an opportunity of hearing to the concerned Petitioner, pass a reasoned order. The notice of hearing would contain at least five working days for reply and an order would be passed within 15 working days, after the reply is received.

(ABHAY J.MANTRI, J.)

(RAVINDRA V. GHUGE, J.)