

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

**WRIT PETITION NO. 2831 OF 2023
WITH
INTERIM APPLICATION NO. 13409 OF 2025
IN
WRIT PETITION NO. 2831 OF 2023**

Girish Co-opertive Housing Society Ltd. ... Petitioner / Applicant
versus
The State of Maharashtra & Ors. ... Respondents

...
Mr.Rajendra Sorankar with Ms.Rashmi Dandekar for the Petitioner/
Applicant.
Mr.P.P.Kakade, Addl.GP with Mr.Abhijeet Naik, AGP for the Respondent -
State.
Mr.Rajdeep Khadapkar for Respondent Nos. 2,5,7 and 8.
Mr.Dilip Bodake for Respondent Nos. 3 and 4.

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

DATE : FEBRUARY 11, 2026

P.C:

1. In this Petition, the main relief sought was, for demolition of the structure unauthorizedly constructed by Respondent Nos. 3 and 4 in the open space adjacent to Plot No. 62. As recorded in the order passed today in Writ Petition No. 11482 of 2024, the said unauthorized structure in the open plot has already been demolished and the said plot now stands cleared.

2. Prayer clause (C) in the subsequently filed Writ Petition No. 11482 of 2024 is identical to prayer clause (C) in the present Writ Petition No. 2831 of 2023. The interim order passed in this Writ Petition has resulted in the demolition of the unauthorized structure. The remaining issue in the other Petition pertains to the challenge to the recognition of the schools of Respondent Nos. 3 and 4, which are presently being operated from Plot No. 62, said to be in a residential area. That Petition would be decided on its own merits at the stage of final hearing.

3. The matter had reached the Hon'ble Supreme Court and the over indulgence of Respondent Nos. 3 and 4 in taking the law into their own hands and operating the school from an unauthorized structure, which has suffered demolition, is a matter of record. We, therefore, expect Respondent Nos. 3 and 4 to behave like disciplined citizens and if they commit any act in future, which can be branded as being illegal or impermissible, we will haul them up in contempt.

4. The pavement blocks have been newly laid in the open plot, which ought to have remained vacant after implementation of the order of the Hon'ble Supreme Court directing demolition of the unauthorized

structure. We permit the Petitioner Society to remove the said pavement blocks and clear the area. Respondent Nos. 3 and 4 shall not enter the open plot until the dispute pending before the Cooperative Court, Pune, in Case No. 466 of 1997 is resolved.

5. We, therefore, direct the Cooperative Court, Pune, to take up this case for expeditious hearing, as it has been pending for 30 years, and to expeditiously conduct the trial in the matter so as to conclude the proceedings on or before 30/06/2026. All parties shall cooperate in the hearing, and the matter shall be posted for at least twice in a week.

6. The **present Petition, therefore, does not survive and is accordingly disposed off.**

7. The pending **Interim Application** in the present Petition also does not survive and **stands disposed off.**

8. **Rule stands discharged.**

(ABHAY J.MANTRI, J.)

(RAVINDRA V. GHUGE, J.)