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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 833 OF 2026

Ambernath Vikas Aghadi
Thr. Gat Neta Abhijeet Gulabrao
Karandule Patil
....Petitioner

Versus

District Collector of Thane & Ors.
....Respondents

Mr. Girish Godbole, Senior Advocate a/w Mr. Chaitanya Nikte, Mr. Shubhankar Kulkarni, Mr. Vishal Tiwari, Mr. Swapnil Sangle i/by Mr. Prajit Sahane, Advocate for the Petitioner.

Mr. Balkrishna Joshi, Advocate for Respondent No.2.

Mr. Ashish Kamat, Senior Advocate a/w Mr. Chirag Shah, Mr. Harsh Moorjani, Mr. Shyamsundar Jadhav i/by Mr. Vishal Acharya, Advocate for Respondent No.3.

Mr. Pradeep Thorat i/by Mr. B.B. Shah, Advocate for Respondent Nos.4 & 5.

Mr. Pradeep Thorat i/by Mr. Malhar Purohit, Advocate for Respondent Nos.6 & 7.

Mr. Sachin Pawar a/w Mr. Pravin Gaikwad, Mr. Gahineenath Karanjule, Advocate for Respondent No.8.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. Priyanka Chavan, AGP for the Respondent/State.

Mr. Umakant Gaikwad, District Joint Commissioner, Urban Development Branch, Collector Office Thane, is present.

CORAM : RAVINDRA V. GHUGE

&

ABHAY J. MANTRI, JJ.

DATE : 19th JANUARY, 2026

P.C. :-

1. On 17th January 2026, we have passed the following order :-

“1. We have considered the submissions of the learned Senior Counsel Mr. Godbole, for the Petitioner, the learned Senior Counsel Mr. Kamat for Respondent No.3, Mr. Deshpande, the learned Advocate appearing for Respondent No.2 – Municipal Council, and Mr. Kakade, Addl. GP and Ms. Chavan, AGP for the Respondent – State.

2. By consent, the meeting scheduled by the District Collector for formation of Committees at 10:00 a.m. on 19th January, 2026 would be postponed till 5.00 p.m. on 19th January, 2026.

3. The Petitioner and Respondent No.3 would put in the minutes of their understanding on the adjourned date.

*4. By consent, list this Petition on **Monday 19th January 2026, at serial No.1.***

5. The Petitioner, as well as Respondent No.3 would intimate Respondent Nos.4 to 7 about the hearing of this matter posted on Monday 19th January, 2026 at 11.00 a.m.”

2. Today, all the parties are before us. All, except the Municipal Council, consent that the communications at Annexure ‘F’ dated 7th January 2026, Annexure ‘J’ dated 9th January, 2026 (Outward No.27) and Annexure ‘K’ dated 9th January, 2026 (Outward No.28), can be kept in abeyance.

3. In view of the above consensus amongst the parties, the learned Advocate for the Municipal Council submits that he has no say in the controversy between the parties. Mr. Umakant Gaikwad, District Joint Commissioner, Urban Development Branch, Collector Office, Thane, has instructed the learned Additional G.P. in this matter.

4. In view of the above, this **Writ Petition is disposed off** with the following directions :

(a) In view of the above consent, the communications at Annexures F, J and K, shall be kept in abeyance.

(b) All the parties would appear before the District Collector, Thane on 28th January, 2026 at 3:00 p.m.

(c) The Petitioner and Respondent Nos.3 to 8 are at liberty to tender their written notes of submissions along with case law with proper index and pagination, to the District Collector, Thane on the said date of hearing. Legal Assistance to these parties is also granted.

(d) By maintaining the decorum of the office of Respondent No.1, these parties would advance their oral

submissions besides the written notes tendered, one by one and without causing any interruption to each others, who would address Respondent No.1.

(e) Respondent No.1 would grant a reasonable opportunity of hearing to the stakeholders in view of the above, by listing the matter for hearing on dates convenient to the parties.

(f) After the hearing is concluded, Respondent No.1 would close the matter for orders.

(g) Thereafter, Respondent No.1 is expected to pass a reasoned order, preferably within a period of 21 days.

(h) The reasoned order would be pronounced on a date to be fixed by Respondent No.1 at the time of closing of the hearing.

(i) After the order is pronounced, the same would be served upon the litigating parties or their legal representatives via email, on their email addresses tendered by the concerned to Respondent No.1 during the hearings, within 24 hours.

(j) Since the aggrieved party should have the opportunity to assail an adverse order, we direct that the order

passed by the District Collector, Thane would not be effected for a period of 15 days from the date of service of the order via email to the litigating parties as well as to Respondent No.2, Chief Officer, Ambernath Municipal Corporation.

5. We clarify that we have not heard this matter on its merits or rival contentions of the parties and hence, by consent, the rival contentions are not recorded in this order. We record that none of the parties would attempt to prolong the hearing on unreasonable or trivial grounds.

6. Needless to state, the meeting scheduled today for constitution of various Committees, would not be proceeded with and the Committees would not be constituted, by consent of all, for a period until 15 days after Respondent No.1 delivers an order.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)