

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

WRIT PETITION NO. 2731 OF 2026

Sanjay Prabhakar Karnik

....Petitioner

Versus

The State of Maharashtra & Anr.

....Respondents

Mr. A. S. Khandeparkar a/w. Joel Carlos, for Petitioner.

Ms. Neha Bhide a/w Mr. Kedar Dighe, Addl. GP., Respondent for
State/Respondent Nos. 1 to 3.

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

DATE : 27th FEBRUARY, 2026

P.C. :-

1. This matter was heard for some time on 26.02.2026.

We had granted an overnight pass over to the learned Additional Government Pleader, as he desired to take instructions in the light of the hearing yesterday.

2. Today, the learned Additional Government Pleader has placed on record a communication dated 26.02.2026, addressed by Mr. Anirudh V. Jewalikar, Deputy Secretary, State of Maharashtra, to the District Collector, Raigad. A photostat copy of the said communication is marked as 'X-1' for identification.

3. The backdrop of 'X-1' is that when a proceeding under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 was pending before the District Collector, the Appellate Authority being the Divisional Commissioner, Mr. Anirudh V. Jewalikar, Deputy Secretary, issued a communication dated 13.01.2026, because one of the litigating parties approached him directly, thereby directing the District Collector to stay the proceedings. Apparently, *prima-facie*, there is no source of power vested in Mr. Anirudh V. Jewalikar to pass such an order.

4. We are intrigued by the fact that a politician approached Mr. Anirudh V. Jewalikar, and he promptly indulged in interjecting with the legal process initiated under the provisions of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, thereby prohibiting further hearing. The politician in question is Respondent No. 4 before us. By 'X-1', Mr. Anirudh V. Jewalikar apparently still believes that he has the jurisdiction and on this assumption, he has issued further directions to the District Collector. This conduct, in our view, reflects audacity on his part.

5. We, therefore, direct the Petitioner to add Mr. Anirudh V. Jewalikar, Deputy Secretary, Government of Maharashtra, Mantralaya (Main Building), Third Floor, Madam Cama Road, Hutatma Rajguru Chowk, Mumbai, as Respondent No. 5. The addition be carried out forthwith.

6. **Issue notice to the Respondents**, returnable on **24th March 2026**. The learned Additional Government Pleader appears on behalf of Respondent Nos. 1 to 3.

7. Hamdast granted, on request, to serve the added Respondent No. 5. The Petitioner is at liberty to serve an Advocate's notice, along with a copy of this order, upon Respondent No. 4.

8. We direct Respondent No. 5 to file his personal affidavit explaining the basis of his jurisdiction in relation to a pending matter before the District Collector under the provisions of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, at least one week prior to the returnable date in this matter.

9. In the meanwhile, the District Collector shall proceed with the pending proceedings in Dispute No. 2 of 2025 by following the due procedure and adhering to the timeline set out in the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

10. List this Petition on **24th March 2026**, in the ‘Urgent Supplementary Board’.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)