



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

WRIT PETITION NO.3587 OF 2026

Milind Gajanan Patil

... Petitioner

Versus

The State of Maharashtra and ors.

.... Respondents

i/b. Adv. Sneha Agarwal a/w Adv. Durga Rajput, Adv. Shweta R. Rathod i/b. Elixir Legal Services, for the petitioner.

Ms. Kavita N. Solunke, Addl.G.P. a/w Smt. R. M. Shinde, AGP, for the respondent-State.

**CORAM : M. S. KARNIK &
S. M. MODAK, JJ.**

DATE : 1st APRIL, 2026

P.C. :

1. Heard learned counsel for the parties.
2. The petitioner seeks a direction to the respondent Nos.2 to 4 to take appropriate action in accordance with law against the unauthorised construction which is being carried out by the respondent No.5. It is further prayed that the respondent Nos.2 to 4 should not entertain any application made by the respondent No.5 for seeking regularisation of the offending structure unless and until full statutory compliance is demonstrated.

3. There is a dispute as to the title over the suit property between the petitioner and the respondent No.5. In all fairness, the petitioner has disclosed the said fact by annexing the plaint, which is at Exhibit "A" to this petition. It is the grievance of learned counsel for the petitioner that so far as the unauthorised construction that is carried out, the Corporation must take action. We do find some merit in this submission.

4. In this view of the matter, we direct the Assistant Commissioner of the Vasai Virar Municipal Corporation to look into the representation which is at Exhibit "B" of this petition and take action against the offending structure if the same is constructed without any permission or if the same is found to be unauthorised, in accordance with law. It needs no mention that if an application for regularisation is preferred by the respondent No.5, the same shall obviously be dealt with by the respondent Corporation in accordance with law upon due compliance with the statutory provisions.

5. The representation at Exhibit "B" be looked into and dealt with expeditiously and in any case within a period of twelve weeks

from the date of communication of this order.

6. It is open for the petitioner to file an appropriate application before the Trial Court seeking an injunction.

7. The writ petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)