

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

CIVIL WRIT PETITION NO. 3629 OF 2026

Mrs. Indu Ambarav Kamble and Ors. Petitioners
V/s.

The Bhiwandi Nizampur City Municipal
Corporation, Bhiwandi and anr. Respondents

Mr. Sandeep Mishra i/b. Ms. Madhura Mulay for the Petitioners.
Mr. Swapnil Patil for Respondent Nos.1 and 2 – BNCCMC.

**CORAM : M.S. KARNIK AND
SHYAM C. CHANDAK, JJ.**

DATED : 23rd MARCH, 2026

PC. :-

- 1) Heard learned Counsel for the Petitioners.
- 2) The structure in question is a ground + four-storey structure.
The Petitioners are the occupants of the structure residing in the flats. It is the contention of the Petitioners that the structure in question is a protected structure and it was constructed prior to 2015. It is submitted that the Corporation is intending to proceed with the action of demolition on the basis of the Complaint filed by one Mr. Rahul Pal who has no concern with the subject structure.
- 3) The Petitioners submit that the Corporation must follow due process of law prior to any action being taken. It is further submitted by the learned Counsel for the Petitioners that the Corporation must issue

appropriate notice before taking any action against the structure in question.

4) Learned Counsel for the Corporation appeared and sought time to take instructions. However, considering the nature of the reliefs prayed, it is obviously incumbent upon the Corporation to follow the due process of law prior to taking any action in respect of the said building.

5) Subject to what is observed above, the Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(M.S. KARNIK, J.)

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