

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

WRIT PETITION NO.3698 OF 2026

Chandrakant Sudam Kadam & Anr. ... Petitioners

Versus

The Municipal Commissioner of
Panvel Municipal Corporation & Ors. ... Respondents

Mr. R. M. Haridas, Senior Advocate with Dilip B. Shinde with Gajendra
Waity with Mukund Mane with Mohan Kumbhar with Vinay Chavan for the
Petitioners.

Ms. Zehra Moledina for Respondent No.3.

Ms. Fatima Barodawalla for Respondent No.4.

CORAM : M. S. KARNIK AND

SHYAM C. CHANDAK, JJ.

DATED : 23rd MARCH, 2026.

P.C. :

1. Heard learned Counsel for the Petitioners.
2. The relief prayed for in this Petition is for a direction to Respondent Nos.1 and 2 not grant permission to Respondent No.4-developer for demolition of the society building before getting IOD and commencement certificate from the concerned authorities.
3. The Petitioners further pray for a direction to the Respondent-Corporation to issue appropriate direction against Respondent No.4-developer directing the developer not to start demolition work without obtaining IOD and commencement certificate from the competent authority

in respect of redevelopment of society building.

4. Ms. Barodawalla, learned Counsel for Respondent No.4-developer submitted, on instructions, that the development agreement duly registered and stamped has been entered between the society and the developer. Further, it is stated that obviously the demolition will be carried out only in accordance with law and after obtaining all necessary permissions.

5. Considering the stand of the Respondent No.4, the Petition is disposed of.

(SHYAM C. CHANDAK, J.)

(M. S. KARNIK, J.)