



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

WRIT PETITION NO.3875 OF 2026

Ravindra Narayan Bhoir And Ors. ... Petitioners
Versus
Thane Municipal Corporation and ors. Respondents

**WITH
INTERIM APPLICATION (ST) NO.9132 OF 2026 (Not on board)
IN
WRIT PETITION NO.3875 OF 2026**

Siddhi Real Estate Developers ... Applicant

IN THE MATTER BETWEEN

Ravindra Narayan Bhoir and ors. ... Petitioners
Versus
Thane Municipal Corporation and ors. Respondents

Adv. Sandeep Mishra i/b. Adv. Madhura Mulay, for the petitioners.
Mr. R. S. Apte, Senior Advocate a/w Adv. Mandar Limaye, Adv.
Aniesh Jadhav, for respondent Nos.1 and 2.

Adv. Nikhil Waje a/w Adv. Adnan Sarang, for the applicant in
IAL/9132/2026.

Ms. Sonal Kale, Designated Officer, Assistant Municipal
Commissioner, Majiwada Manpada Ward Committee present.

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

DATE : 30th MARCH, 2026

P.C. :

1. Heard learned counsel for the parties.

2. Affidavit-in-reply filed by the Corporation tendered by Mr. Apte, learned Senior Advocate is taken on record.

3. Mr. Apte, learned Senior Advocate appeared on behalf of the Corporation and argued in support of the impugned order dated 23/03/2026. It is submitted that a proper opportunity was given to the petitioners. It is further submitted that the petitioners failed to submit the documents which are now being relied upon by them in support of their case.

4. Learned counsel for the petitioners relied on the document which is at page 73 of the paper-book to contend that the structure in question was in existence prior to the formation of the Corporation and hence, the structure is protected. However, the document at Exhibit C along with some other relevant documents could not be produced before the respondent No.2, as sufficient notice was not given to the petitioners. Suffice it to observe that we are satisfied that an opportunity needs to be given to the petitioners to rely upon the additional materials, and that sufficient time should have been granted by the respondent No.2 to file a response and submit the documents. In such view of the

matter, we are inclined to set aside the impugned order to afford a proper opportunity to the petitioners.

5. The petitioners within a period of eight days from today shall produce the additional documents in support of their case before the respondent No.2. Within a period of eight days therefrom, the respondent No.2 shall give an opportunity of hearing to the petitioners and pass a speaking order in accordance with law. If the order is adverse, the same shall be not given effect for a period of two weeks from the date of communication.

6. The order dated 23/03/2026 is quashed and set aside.

7. All contentions are kept open.

8. The writ petition is disposed of.

9. In view of the disposal of the writ petition, nothing survives for consideration in the interim application and the same stands disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)