

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 3961 OF 2026

Sadanand Naik and Ors.

...Petitioners

Vs.

The State of Maharashtra
Thru Secretary and Ors.

...Respondents

Adv. Alankar Kirpekar a/w Adv. Susmit Phatale a/w Adv. Sanket Salve
i/by Adv. Susmit Phatale - Advocate for the Petitioners
Ms. Rupali Shinde – AGP for the Respondent No. 1-State
Adv. S. V. Gavand – for Respondent Nos. 3 to 5 (Panvel Municipal
Corporation)

CORAM : M. S. KARNIK AND
S. M. MODAK, JJ.

DATE : 02nd APRIL 2026

P. C. :-

1. Heard Mr. Kirpekar, the learned counsel for the Petitioners, Ms. Shinde, the learned AGP for Respondent No. 1-State, Mr. Gavand, the learned counsel for Respondent Nos. 3 to 5-Corporation.

2. It is grievance of the Petitioners that the developer in question was to construct 18 residential units and four shops. Of the four shops, two shops were meant for meter room and society office. However, the developer instead of utilizing the same for the purpose for which the

permission was granted has sold the two shops for commercial purposes instead of utilizing the same for the purpose of meter room and society office.

3. In such view of the matter, the Petitioners have made a complaint to the Respondent-Corporation for taking appropriate action. In fact, a Show Cause Notice dated 30.06.2025 was issued by the Respondent No. 3-Panvel Municipal Corporation to the occupier of shop premises.

4. Considering that Show Cause Notice has already been issued, the same needs to be taken into logical conclusion by the Respondent No. 3 expeditiously, in accordance with law, if the user is unauthorized.

5. Show Cause Notice dated 30.06.2025 is directed to be taken to its logical conclusion by Respondent No. 3 expeditiously within a period of ten weeks from the date of communication of this order, after hearing the occupier of the shop premises as well as Petitioners.

6. With the above observations, the Writ Petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)