

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

WRIT PETITION NO. 4002 OF 2026

Mr. Bhumesh Shyam Mantri ... Petitioner
Versus
State of Maharashtra and ors. Respondents

Ms.Sutapa Sapkale for the petitioner.
Smt. P.M.J. Deshpande, AGP for the respondent no.1-State.
Mr. D.R. Kawale, for respondents no. 2 & 3-BMC.

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

DATE : 1st APRIL, 2026

P.C. :

1. Heard learned counsel for the petitioner and learned counsel for the respondents no. 2 & 3.
2. The prayer made in this writ petition is to take action in accordance with law against unauthorised construction on first floor made by respondent no.4. The petition reads that the petitioner has made a complaint to the Corporation and in fact a show cause notice is also issued to respondent no.4, however, no further action is taken. Even they have acquired the information under the Right to Information Act. The notice issued by the

Corporation is annexed at page no. 24. It is issued to respondent no.4. Respondent no.4 was asked to submit the documents in respect of the objectionable structure within 7 days. Learned counsel for the Corporation seeks time to take instructions if the documents are submitted or not and if submitted, whether any action is taken or not.

3. Be that as it may, we direct the Corporation to take further action on the basis of the complaint. Hence, the writ petition can be disposed of by passing the following order.

ORDER

(i) Respondents no.2 & 3 are directed to act as per the notice issued to respondent no.4 which is at page no. 24 by verifying whether the documents are submitted or not.

(ii) Respondents no. 2 & 3 are directed to hear the petitioner and respondent no.4 and to pass the appropriate orders about the unauthorised construction as per law as early as possible.

(iii) We have not expressed any opinion about merits of the matter and respondents no. 2 & 3 are at liberty to take appropriate decision.

4. The writ petition is disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)