



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

WRIT PETITION NO.5549 OF 2026

Shri Rakesh Rajendrakumar Agarwal ... Petitioner
Versus
The State of Maharashtra and ors. Respondents

**WITH
INTERIM APPLICATION (ST) NO.12521 OF 2026 (Not on board)
IN
WRIT PETITION NO.5549 OF 2026**

Kanhaiya Industrial Estate Co-op.
Society Ltd. ... Applicant

IN THE MATTER BETWEEN

Shri Rakesh Rajendrakumar Agarwal ... Petitioner
Versus
The State of Maharashtra and ors. Respondents

Mr. Surel Shah, Senior Advocate a/w Adv. Kishor Patil,
Adv. Mohan Kumbhar i/b. Adv. Amol P. Mhatre, for the petitioner.
Mr. B. V. Samant, Addl.G.P. a/w Ms. Reena A. Salunkhe, AGP, for
the respondent-State.
Adv. R. M. Haridas i/b. Adv. Nilesh Wable, for the applicant in
IAST/12521/2026.

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

DATE : 27th APRIL, 2026

P.C. :

1. Heard learned counsel for the parties.
2. The petitioner has filed this writ petition seeking
directions against the Collector, Palghar and the Superintendent of

Land Records, Palghar. The grievance of the petitioner arises from the actions of the respondent Nos.5 and 6 who according to the petitioner have submitted a manipulated layout plan before the Vasai Virar Municipal Corporation. The said authority granted the tentative approval to the said layout, specifically subject to proper demarcation by the office of the Superintendent of Land Records. The issue of demarcation was referred to the Superintendent of Land Records.

3. It is the grievance of the petitioner that without granting adequate and reasonable notice to the petitioner, the Superintendent of Land Records conducted a site visit for measurement and demarcation. The petitioner claims to be the adjoining land owner was deprived of an opportunity to remain present during such measurement. The petitioner addressed a notice raising objections to the said procedure.

4. The grievance of the learned Senior Advocate is that despite the fact that the final demarcation has not been completed, respondent Nos.5 and 6 have already commenced erection of

concrete poles on site, in clear deviation from the sanctioned Development Plan, and by relying upon manipulated and incorrect demarcation. The petitioner submitted a detailed representation dated 06/04/2026 before the Superintendent of Land Records and the Collector, specifically requesting immediate intervention and stoppage of the illegal activities. However, no action has been taken.

5. Learned Senior Advocate for the petitioner on instructions submitted that if a detailed representation dated 06/04/2026 is looked into by the Superintendent of Land Records, Palghar after briefly hearing the petitioner and any other person adversely affected and take appropriate action on the said representation in accordance with law.

6. Accordingly, we have heard learned Additional Government Pleader for the respondent who opposed the petition. However, in the present facts we are of the view that the representation dated 06/04/2026 needs to be looked into by the Superintendent of Land Records, Palghar and after briefly hearing

the petitioner and any other person adversely affected on 05/05/2026 at 11:00 a.m. or any time thereafter as per the convenience of the Superintendent of Land Records. After the decision is taken, necessary action be taken in accordance with law.

7. The petitioner to remain present along with a copy of this order on 05/05/2026 at 11:00 a.m. The representation dated 06/04/2026 to be decided by the Superintendent of Land Records within a period of two weeks from 05/05/2026.

8. All contentions are kept open.

9. The writ petition is disposed of.

10. In view of the disposal of the writ petition, nothing survives for consideration in the Interim Application (Stamp) No.12521 of 2026 and the same stands disposed of.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)