

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

CIVIL WRIT PETITION NO. 6974 OF 2026

Mustafa Mukhtar Kungale and Ors. Petitioners
Vs.
The State of Maharashtra and Ors. Respondents

Mr. Vishal A. Patil for the Petitioners.
Shri. V.D. Badgujar, AGP for Respondent Nos.1 to 4 – State.

**CORAM : SHYAM C. CHANDAK AND
FARHAN P. DUBASH, JJ.**

**DATED : 03rd JUNE, 2026
(VACATION COURT)**

P.C. :-

- 1) After hearing the Petition for some time, Mr. Badgujar, the learned AGP, on instructions, submitted that let the Petitioner produce the relevant documents establishing his contention that the subject matter structure is authorized and legal. Upon production of such documents, the Respondent No.3 – The Tahsildar and Executive Magistrate, Kalyan, Dist. Thane shall examine the matter and dispose of the same in accordance with the law.
- 2) Mr. Shaikh, learned Counsel for the Petitioner, on instructions states that the Petitioner will produce the required documents before the Respondent No.3 on or before 9th June, 2026.
- 3) Once the Petitioner produces the documents within stipulated period as stated above, Respondent No.3 shall decide the matter within two

weeks therefrom. During the said two-week period, no coercive action shall be taken against the Petitioner.

4) Mr. Shaikh, the learned Counsel for the Petitioner, on instructions, agreed that if the Petitioner fails to produce the documents as aforesaid, the Petitioner shall demolish the subject matter structure himself within one week from 9th June, 2026. The said statement is accepted.

4.1) Otherwise, the Competent Authority will be at liberty to take necessary measures to demolish the subject structure in accordance with the law.

5) Petition stands disposed of in aforesaid terms.

(FARHAN P. DUBASH, J.)

(SHYAM C. CHANDAK, J.)

PREETI
HEERO
JAYANI

Digitally signed by
PREETI HEERO
JAYANI
Date: 2026.06.03
19:35:03 +0530