

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO. 4704 OF 2025**

Atul Projects India Private Limited

... Petitioner

V/s.

The State of Maharashtra & Ors

... Respondents

Mr. Vikramjeet Garewal a/w Mr. Akshit Dedhia, Ms. Dhanshree Humbarkar
i/b Wadia Ghandy & Co., for the Petitioners.

Mr. Vishal B. Thadani, A.G.P for the Respondent Nos.1 to 4.

Ms. P.H. Kantharia for the Respondent No.5-S.R.A.

Mr. Deepak Zunjare, Assistant Engineer - S.R.A.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.**

DATE : 2nd FEBRUARY 2026

P.C. :

1) By this Petition under Article 226 of the Constitution of India, the Petitioner is seeking relief of quashing and setting aside Order dated 31st October, 2025, passed by the Additional Divisional Commissioner, Konkan Division under Section 247 of the Maharashtra Land Revenue Code, 1966 ('MLRC').

2) By the impugned Order dated 31st October, 2025, the Respondent No.2 has directed Collector of Mumbai, Suburban, Mumbai i.e. Respondent No.3 to conduct fresh inquiry.

- 3) Shri. Ajay N. Patil, Additional Tahsildar (Revenue), has filed Affidavit dated 27th January, 2026. In paragraph No.11 thereof, it is stated that, a Notification dated 31st December 2025, is issued after the passing of the impugned Order. As per the said notification, the non-agricultural use of land permission from the District Collector is not required. That, the concerned Planning Authority will grant permission for construction development subject to recovery of one time premium of non-agricultural use of land.
- 4) According to us therefore, it is now not necessary for the Collector of Mumbai, Suburban, Mumbai to conduct an inquiry into the Application preferred by the Petitioner.
- 5) In view of the said Notification dated 31st December 2025, it is the Respondent No.5, who is the concerned Authority to consider the Application preferred by the Petitioner to convert and use of the suit land as non-agricultural.
- 6) In view of the above, we set aside the impugned Order dated 31st October, 2025 and permit the Petitioner to file its Application before the Respondent No.5 for its consideration as per the Notification dated 31st December, 2025 and the relevant provisions of law.
- 7) Petition is accordingly partly allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)