

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 3963 OF 2026**

Ajay Shivchandra Tamboli and others ... Petitioners

vs.

The State of Maharashtra, Through Secretary,  
Urban Development Department and others ... Respondents

Mr. Anil Ahuja for the petitioners.

Ms. M. S. Bane, AGP for respondent Nos.1 to 3-State.

**CORAM : MANISH PITALE &  
SHREERAM V. SHIRSAT, JJ**

**DATE : 30<sup>th</sup> MARCH, 2026**

**P.C. :**

. Heard learned counsel for the petitioners.

2. The petitioners are aggrieved by the manner in which the respondent authorities are proceeding to acquire the land located at Survey No.5646 at Panchavati Gavthan, Nashik, which also consists of a structure belonging to the petitioners.

3. According to the petitioners, no effective hearing was granted on their specific objections, as per the statutory scheme under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act of 2013). It is also alleged that there is no report, as contemplated under section 15(2) of the said Act, and that without considering the genuine objections of the petitioners, in a hurried manner, notification was issued under section 19 of the said Act. It is further submitted that the adjoining survey Nos.5644 and 5645 are not being acquired, which indicates that the petitioners are being discriminated against, apart from the fact that there has been violation of the mandate of law laid down by the Supreme Court in

various judgements, including judgements in the cases of *Kolkata Municipal Corporation and another vs. Bimal Kumar Shah and others*, (2024) 10 SCC 533 and *Dinesh and others etc. vs. State of Madhya Pradesh and others etc.* [judgement and order dated 15.05.2024 passed in Civil Appeal arising out of Special Leave Petition (Civil) Nos. 28410 and 28414 of 2023].

4. It is further submitted that even as per the alignment of the proposed widening of road, only a very small portion of the land of the petitioners would be required and yet, the entire area of 16.70 sq. mtrs. of the same has been notified for acquisition. It is submitted that therefore, the actions of the respondents amount to violation of the constitutional right of the petitioners under Article 300A of the Constitution of India. The petitioners are praying for urgent ad-interim/interim relief.

5. Considering the serious allegations made in the present petition, we deem it appropriate that the respondents should file their reply affidavits at the earliest to clarify their stand, in the light of the specific allegations made in the petition. It is made clear that this Court shall consider the prayer for ad-interim/interim relief on the next date of listing.

6. Issue notice, returnable on 17.04.2026, to be taken up in the supplementary list.

7. The learned AGP waives notice on behalf of respondent Nos.1 to 3. *Humdast* granted for respondent No.4.

8. Respondents shall file their reply affidavits on or before 15.04.2026.

(SHREERAM V. SHIRSAT, J)

(MANISH PITALE, J.)