

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5853 OF 2026

Chaya Dattu Gunjal

...Petitioner

vs.

The Sub Divisional Officer, Nashik and Ors.

..Respondents

WITH
WRIT PETITION (ST.) NO. 8806 OF 2026
WITH
WRIT PETITION NO. 5954 OF 2026
WITH
WRIT PETITION NO. 5971 OF 2026
WITH
WRIT PETITION NO. 5997 OF 2026
WITH
WRIT PETITION NO. 5976 OF 2026
WITH
WRIT PETITION NO. 5962 OF 2026
WITH
WRIT PETITION NO. 6005 OF 2026
WITH
WRIT PETITION NO. 5984 OF 2026
WITH
WRIT PETITION NO. 5977 OF 2026
WITH
WRIT PETITION NO. 5999 OF 2026
WITH
WRIT PETITION NO. 5985 OF 2026
WITH
WRIT PETITION NO. 6006 OF 2026
WITH
WRIT PETITION NO. 5974 OF 2026
WITH
WRIT PETITION NO. 5978 OF 2026
WITH
WRIT PETITION NO. 5989 OF 2026

WITH
WRIT PETITION (ST.) NO. 11296 OF 2026
WITH
WRIT PETITION NO. 5993 OF 2026
WITH
WRIT PETITION NO. 5996 OF 2026
WITH
WRIT PETITION NO. 5987 OF 2026

Mr. Rameshwar Gite, for the Petitioners
 Mr. Atul Damle, Senior Advocate a/w. Ms. Iraa Dube-Patil i/b. Jay & Co., for Respondent No. 3 -MIDC
 Mr. Dipak Patil, RO, Nashik, MIDC present.
 Smt. M.S. Bane, AGP for the State in WP Nos. 5853 of 2026, WPST No. 8806 of 2026, WP No. 5954 of 2026 and WP No. 5971 of 2026.
 Smt. P.M.J. Deshpande, AGP for the State in WP No. 5997 of 2026, WP No. 5976 of 2026 and WP No. 5962 of 2026.
 Smt. Tanu Bhatia, AGP for the State in WP No. 6005 of 2026, WP No. 5984 of 2026 and WP no. 5977 of 2026.
 Smt. G.R. Raghuwanshi, AGP for the State in WP No. 5999 of 2026, WP No. 5985 of 2026 and WP No. 6006 of 2026.
 Mr. A.I. Patel and Ms. Priyanka Chavan, AGPs for the State in WP No. 5978 of 2026, WP No. 5974 of 2026 and WP No. 5989 of 2026.
 Mr. R.S. Pawar, AGP for the State in WP No. 5993 of 2026, WPST No. 11296 of 2026, WP No. 5996 of 2026 and WP No. 5987 of 2026.

CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.

DATE : 19th JUNE, 2026

PC. :

1. The learned AGPs have tendered reply affidavits in all the petitions except Writ Petition (St.) No. 8806 of 2026. The reply affidavits are taken on record.

2. Heard the learned counsel for the parties.

3. In these petitions on 5th May, 2026 this Court had directed status-quo to be maintained as regards the possession as also mutation entries in the light of the challenge raised to impugned orders dated 22nd February, 2026 passed by the respondent- Sub Divisional Officer, Nashik (SDO).

4. This Court while issuing notice and granting status-quo had specifically taken note of an earlier order dated 1st October, 2025 passed in Writ Petition No. 7644 of 2024 and connection petitions. This Court did find a *prima facie* case in favour of the petitioners to the effect that the respondent- SDO had failed to consider the grievances of the petitioners in a detailed and proper manner, despite the specific directions issued by this Court in the aforementioned earlier order passed in Writ Petition No. 7644 of 2024 and connected petitions.

5. The respondent- State authorities are represented by the learned AGPs and the respondent- Maharashtra Industrial Development Corporation (MIDC), also a respondent in these petitions, has appeared through counsel. It is submitted that the order

of status-quo is hampering the establishment of the industrial area by MIDC.

6. The learned AGP has tendered affidavits in reply of the respondents- SDO. It is specifically stated in these affidavits that the impugned orders dated 22nd February, 2026, which have been challenged in these petitions have been withdrawn. The respondents SDO is *de novo* considering the objections raised by the petitioners with respect to order contemplated under section 32(2) of the Maharashtra Industrial Development Act, 1961.

7. It is submitted that in view of the impugned orders being withdrawn, nothing survives in these petitions and the petitions can be disposed of. It is assured on behalf of the respondents -SDO that the objections of the petitioners shall be considered afresh in a detailed manner and thereupon the objections will be disposed of by passing reasoned orders.

8. The learned counsel for the petitioners submits that there have been certain subsequent developments, which indicate that the Gram Sabha resolutions have been dealt with by the Collector in an illegal manner and therefore, this Court may consider keeping these petitions

pending.

9. We are of the opinion that even if the petitioners are aggrieved by certain subsequent developments, in the light of the impugned orders themselves being withdrawn, nothing really survives in these petitions. The petitioners can challenge the subsequent developments including orders passed by the Collector when the occasion arises. Their right to do so is kept reserved for further challenge, if any. The concern of the petitioners with regard to the status-quo of being maintained can be addressed by issuing an appropriate direction and the respondent -SDO can be given an opportunity to consider the entire matters afresh and to pass appropriate orders in accordance with law and in the light of directions already issued by this Court in the order dated 1st October, 2025 passed in Writ Petition No. 7644 of 2024 and connected petitions. The petitioners would be entitled to challenge the orders that may be passed afresh by the respondent - SDO on all available grounds, in the event they are aggrieved by such orders.

10. In view of above, the Writ Petitions are disposed of in the light of the impugned orders being withdrawn.

11. The respondent -SDO shall consider the objections of the petitioners afresh as indicated here-in-above. The respondent -SDO shall pass detailed reasoned orders dealing with the objections raised by the petitioners.

12. The order of status-quo granted by this Court on 5th May, 2026 shall continue to operate during the pendency of proceedings before the respondent -SDO. The said order of status-quo shall remain in operation for a period of two weeks beyond the date on which the respondent -SDO shall pass orders afresh, so that the petitioners will have an opportunity to challenge such orders in the event they are aggrieved by the same.

13. The Writ Petitions are disposed of in above terms.

14. Pending applications if any also stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)