

Rekha Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15027 OF 2025

Geetaben Rasiklal Chhadwa and Ors. ...Petitioners
Versus
The District Collector, Thane and Ors. ...Respondents

WITH
WRIT PETITION NO. 15022 OF 2025

Harsh Chhadwa and Ors. ...Petitioners
Versus
The District Collector, Thane and Ors. ...Respondents

Mr. Girish S. Godbole, Senior Advocate i/b Parag Tilak, for the
Petitioners in WP/15027/2025.
Mr. Surel Shah, Senior Advocate i/b Parag Tilak, for the Petitioners
in WP/15022/2025.
Mr. N. C. Walimbe, Addl. G.P a/w Mr. A. K. Naik, AGP, for the
Respondent-State in WP/15027/2025.
Mr. N. C. Walimbe, Addl. G.P a/w Smt. R. A. Salunkhe, AGP, for
the Respondent-State in WP/15022/2025.

**CORAM: SUMAN SHYAM &
S. M. MODAK, JJ.**

DATED: 6th NOVEMBER, 2025.

PC:-

1. Heard Mr. Girish Godbole, learned Senior Advocate assisted by Mr. Parag Tilak, appearing for the Writ Petitioners in Writ Petition No. 15027 of 2025. We have also heard Mr. Surel Shah, learned Senior Advocate assisted by Mr. Parag Tilak, appearing for the Writ Petitioners in Writ Petition No. 15022 of 2025. Mr. N. C.

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Walimbe, learned Additional G. P, has appeared for the State in both the Writ Petitions.

2. In these Writ Petitions, Eviction Notices / Demolition Notices issued to the respective Petitioners, pertaining to the structures standing over the lands covered by Survey Nos. 187, 188 and 189 have been assailed on the ground that by carrying out a survey behind the back of the Petitioners, their lands have been shown in the map pertaining to Survey No. 193, as a Government Land and on such basis, the impugned notices have been issued.

3. According to the Petitioners, the land covered by Survey Nos. 187, 188 and 189 are the private lands belonging to them and, therefore, the entire exercise including carrying out a survey behind the back of the Petitioners, is illegal and, therefore, is liable to be interfered with by the Court.

4. Responding to the above, Mr. Walimbe, learned Additional G. P, appearing for the Respondent-State, has submitted that the survey was conducted and the action initiated in the matter in terms of the directions issued by this Court by order dated 16th October, 2025 passed in Contempt Petition (L) No. 21734 of 2025 in Public Interest Litigation No. 87 of 2006 and, therefore, any interim order passed in this case halting the above process would run counter to the directions passed in the PIL.

5. After hearing the submissions made at the bar, we find that there are some directions issued by a Co-ordinate Bench in connection with Public Interest Litigation No. 87 of 2006, dated 16th October, 2025. However, the circumstances under which such

directions were issued by the Court are not completely discernable from the documents on record.

6. Under these circumstances and in order to avoid any conflicting order being passed in this proceeding, we are of the view that this matter should be placed before the same Bench (Coram: Revati Mohite Dere & Sandesh D. Patil, JJ.), which has passed the order dated 16th October, 2025. The learned Counsel for the parties have also agreed to the said proposition.

7. We are informed that the said Bench is presently available. As such, let the Registry to do the needful for obtaining Administrative Orders in the matter from the Hon'ble Chief Justice.

8. We have noted that the cut-off date for compliance of the Court Order is 15th November, 2025. Since Eviction Notices / Demolition Notices have already been issued, for the ends of justice, we direct that *Status-quo* be maintained till the listing of the matter before the appropriate Bench.

9. Copy of this order to be communicated to the concerned Authorities.

(S. M. MODAK, J.)

(SUMAN SHYAM, J.)