



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1273 OF 2024

Raphael Anthony Godinho and Anr. ... Petitioners
Versus
The Presiding Officer and Deputy Collector
(General Administration) and Anr. Respondents

Adv. Shrey Fatterpekar a/w Adv. Ashwini Pawar-Padalkar i/b.
Padalkar and Partners, for the Petitioners.
Mr. Manish Upadhye, AGP, for Respondent No.1-State.

**CORAM : M. S. KARNIK &
S. M. MODAK, JJ.**

DATE : 16th FEBRUARY, 2026

P.C. :

1. Heard learned counsel for the parties.
2. Issue notice to the Respondents, returnable on 23rd March 2026.
3. Learned AGP waives service of notice for Respondent No.1.
4. Private notice on the Respondent No.2 is permitted.
5. Learned counsel for the Petitioner submitted that the property belongs to the Petitioner's father who died intestate.

Therefore, the Petitioner has a share in the suit property. It is submitted that the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 are used to secure an eviction instead of resorting to civil remedies provided by law.

6. Till next date, the Respondent No.2 is directed not to create any third party rights or part with possession of the property.

(S. M. MODAK, J.)

(M. S. KARNIK, J.)