



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1136 OF 2019

Manohar Ramchandra Vaidya & Anr. ... Petitioners
V/s.
The State of Maharashtra ... Respondent

VAIBHAV
RAMESH
JADHAV

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Date: 2026.05.05
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None for the petitioners.

Mr. R. P. Kadam, AGP for the State.

CORAM : ANIL L. PANSARE &
RANJITSINHA RAJA BHONSALE, JJ.

DATED : MAY 4, 2026

P.C.:

1. The challenge is to the communication dated 2nd January 2019 issued by the Executive Engineer, Chiplun, Public Works Department, District Ratnagiri. By the said communication, the no objection certificate issued for construction of the building has been canceled. As such, the petitioners claim that vide communication dated 24th April 2013, the respondent has issued a no objection certificate for constructing the building.

2. We have gone through the said communication to find that no such NOC was given. The communication only indicates that



the petitioners sought NOC to construct building for residential and commercial use. Respondent has informed the petitioners that the said construction is at a distance of 20.50 metres from the centre of the road and, as per norms, the construction should be at a distance of 20 metres from the centre of the road, and to that extent, the department has no objection. Thus, the no objection issued is qua the distance of building from the centre of road. This NOC has been subsequently canceled on the ground that the same was issued in breach of the Government Resolution dated 9th March 2001.

3. We have gone through the annexures filed along with the reply. It appears that the land under question is situated outside the limits of the Municipal Corporation/Municipal Council (Nagar Palika) and therefore the building line should be at a distance of 40 metres from the centre of road. It further appears that a question was raised in the Assembly as regards the said NOC, saying that construction has been made in the river bed and also is contrary to the prevailing rules.

4. The respondent, therefore, shall apprise us as regards the exact location of the construction.



5. None appeared for the petitioners. The petition is transferred from the Principal Seat at Bombay to the Circuit Bench at Kolhapur.

6. Issue notice to the petitioners, returnable on **23rd June 2026**.

(RANJITSINHA RAJA BHONSALE, J.) (ANIL L. PANSARE, J.)