

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10123 OF 2026

Sai Rydam Realtors Pvt. Ltd.

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

...

Mr. Murtaza Najmi a/w Shambhu Jha, Sushil Upadhaya, Afsar Ansari, Farida Najmi, Nancy Kanungo, Suraj, Arefa Siddiquie, Nasrah Ansari for the Petitioner.

Mrs. Neha S. Bhide, Govt. Pleader with Mr. K. B. Dighe, Addl. Govt. Pleader and Mrs. Pratibha Gavhane, AGP for Respondent Nos.1 and 5-State.

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**CORAM : MAHESH CHANDRA TRIPATHI, CJ. &
ADVAIT M. SETHNA, J.**

DATE : 11th SEPTEMBER, 2026.

P.C. :

1. Heard the learned counsel for the petitioner. Issuance of Notice is dispensed with in view of the order proposed to be passed by this Court.

2. The learned counsel for the petitioner submits that while processing the application for grant of Fire No Objection Certificate in respect of its development project, the Competent Authority determined the amount payable towards Fire Protection Fund at Rs.52,44,730/- in accordance with the applicable statutory provisions. However, Respondent Nos.2 to 4 refused to accept the amount determined by the competent authority and instead

demanded payment of Rs.85,91,000/- towards Fire Protection Fund. The learned counsel for the petitioner further submits that since the Fire No Objection Certificate was an indispensable statutory requirement of the petitioner's development project, the petitioner deposited the said amount under protest in order to avoid delay and disruption of the project. He submits that without any rationale and cogent reasons, the demand had been made in arbitrary manner. In spite of the fact that the petitioner has filed detailed objection on 19th June, 2026 before the Municipal Commissioner, Vasai Virar City Municipal Corporation and the Chief Fire Officer, Fire & Emergency Services Department, the respondents failed and neglected to refund the excess amount.

3. At present we find that such demand by the Respondents is to be re-visited in the light of the objection so raised by the petitioner on 19th June, 2026. The same be done by the said Respondents in accordance with law.

4. Considering the factual situation as emerged before us, we are not inclined to entertain the instant Petition. The petitioner has already deposited the amount and the same would be subject to the final decision on the objection so raised by the petitioner on 19th June, 2026.

5. With the above directions, the Writ Petition is Disposed of.

[ADVAIT M. SETHNA, J.]

[CHIEF JUSTICE]