

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No.6765 OF 2015

(Mr. Suresh Shivajirao Kale and others Vs. Chief Secretary, Public Works
Department, Mantralaya, Mumbai and others)

Office Notes, Office
Memoranda of appearances,
Court's orders or directions &
Registrar's orders.

Court's or Judge's orders

Mr. Yuvraj Navyankav along with Mr. Rohan
Ratnaparkhi, Advocate for the Petitioners.
Mr. P.P. Kakade, AGP for the Respondents.

**CORAM : NARESH H. PATIL &
S. B. SHUKRE, JJ.**

DATED : 15th JULY, 2015.

P.C. :

The petitioners' apprehension is that the respondents would demolish their structure without following due process of law and without giving them notice as required in law. The counsel submits that the respondents adopted method of demolishing the structures of various persons without issuing notice. Such a move on the part of State compelled the petitioners to approach this Court.

It is alleged that the petitioners have erected the subject structures abutting the State Highway passing through Jejuri, Tq. Purandar, District Pune.

Learned Assistant Government Pleader

on instructions makes a statement that the subject structures are illegally constructed, but the respondents authorities shall take necessary steps and action after serving legal notices on the petitioners.

We direct the respondents that in case, they decide to take any steps in respect of constructions carried out by the petitioners adjoining Highway passing through Jejuri, then advance notices in respect of subject constructions shall be issued and served on the petitioners. The respondents shall act in accordance with law.

With these observations the petition is disposed of.

We clarify that we have not expressed any opinion on merits of the case.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)