

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO. 175 OF 2014

Mangilal S/o Rawatmal Agarwal .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

Mr. A. M. Saraogi, Advocate for the petitioner

Mr. Vikas Mali, AGP for R. Nos. 1A to 1B.

Mr. N. R. Bubna, Advocate for R. No. 2.

Mr. Durgaprasad S. Sabnis a/w Durgesh Kulkarni i/b Lex
Firms, Advocate for R. No. 3.

CORAM:-NARESH H. PATIL &

V. L. ACHLIYA, JJ.

DATED : -17/03/2015

P.C.

Heard.

2 The petitioner's grievance is that respondent No. 3

Mrs. Nayana Gajanan Mhatre had raised illegal construction on

the Government land. Not only respondent No. 3 be

disqualified as Corporation but appropriate action be taken against the illegal construction carried out on the Government property. By a Resolution dated 20/8/2011, the General Body of Corporation expressed its view that the said construction was carried out prior to 1995. Th respondent No. 3 was Corporator during the period 2002-2007, and 2007-2012. It is submitted by the learned counsel appearing for respondent No. 3 that she is not sitting Corporator now. The revision petition has been filed by third party against the Resolution adopted by the Corporation, which is pending consideration of the State Government.

3 The counsel appearing for the Corporation submits that the grievance regarding raising of illegal construction on the Government property is concerned, would be independently looked into by the Corporation.

4 In view of the development as stated above, we observe that the Corporation would look into the issue as to

whether the construction has been carried out on the Government property at Mouje Mardhe, CTS No. 111, and in case it is noticed that illegal construction was carried out, appropriate action in accordance with law be taken. We do not express any opinion on the said allegation.

5 Petition is disposed of.

(V. L. ACHLIYA, J.)

(NARESH H. PATIL, J.)

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