

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6946 of 2016

Mr. Madhukar Mahadev Kamble and ors.Petitioners
versus
CIDCO Ltd. And anr. ...Respondents

Ms. Anita Dhumal i/b. Mr. Vijay R. Shinde, advocate for the petitioners.
Ms. Sonali Jain along with Mr. Khushboo Gagrani i/b. Jurisperitus for
respondent No.1.
Mr. S. V. Marne, advocate for respondent No.2.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATE : 1st JULY, 2016.

P. C. :

Heard learned counsel appearing for the respective parties.

2. The petitioners are challenging the notice under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966, (for short "the MRTP Act"). Learned counsel for the petitioners is not in a position to produce any documentary evidence about the permission/approval of the structure in question. Respondent No.1 makes a statement that the land, on which, the offending structure is erected is vested in CIDCO and CIDCO as a planning authority has independently issued notice under Section 53(1) of the MRTP Act to the petitioners. This fact is also not denied by the learned counsel for the petitioners. In the above circumstances, the petition is devoid of any merits and the same is, accordingly, dismissed.

(ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]