

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 17 OF 2014

Manohar Narayan Shinde. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Sachin Punde for the petitioner.
S.S.Bhende, AGP for the State.
Saurabh Butala i/b. Harshad Bhadbade for respondent No.4.
Saurabh Pakale i/b. Avinash Ram Belge for respondent No.5.

**CORAM : DR.MANJULA CHELLUR, C.J.
AND M.S.SONAK, J.**

DATE : 18th November 2016.

P.C. :

The contention of the petitioner in this PIL is that totally ignoring the buildings laws applicable, respondent No.5 is putting up the construction of restaurant, cinema theater and lodge obstructing the national highway between Mumbai and Goa which comes within the jurisdiction of Chiplun Municipal Council. According to learned counsel for respondent No.5, several provisions of law quoted are not applicable to the building in question and whatever the construction taken up is well within the permissible limits. Till today, respondent

No.4- Chiplun Municipal Council has not filed its reply answering this petition.

2. The Chief Executive Officer of respondent No.4- Chiplun Municipal Council and respondent No.9- National Highway Authority of India Ltd. are hereby directed to treat this petition as representation of the petitioner and make a discrete inquiry and act in accordance with the provisions of law including removal of unauthorized construction, if any found at the site in question. The entire exercise has to be done within four months. The petitioner shall also be heard by the concerned authorities. Liberty reserved to both the petitioner and the party respondents to appear before the said authorities and make their submissions.

3. With the aforesaid observation and direction, this petition is disposed of.

(M.S.SONAK, J.)

CHIEF JUSTICE