

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8876 OF 2016

Ganesh Nilkanth Patil. ..Petitioner.
Versus
Thane Municipal Corporation and Another. ..Respondents.

Ms. Ulka Saranjame for the Petitioner.
Ms. Pooja R. Singh i/b N. R. Bubna for Respondent No. 1.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **October 4, 2016.**

P. C. :

1. Heard. By this petition, essentially the Petitioner is seeking a direction to the Respondent – Corporation to rebuild the structure on subject land which has been demolished by the Respondent – Corporation. Prayers are also made for grant of compensation, initiate enquiry, etc.,
2. The learned Counsel appearing for the Respondent – Corporation states that construction of the subject temple was without obtaining any prior permission from the Competent Authority. This fact is not disputed by learned Counsel appearing for the Petitioner. Moreso, the Petitioner is also not owner of the property. Learned Counsel appearing for the Petitioner however tried to contend that suit has been filed by the Petitioner seeking declaration that the

Petitioner has become owner of the subject land by adverse possession. The fact remains that as on today the Petitioner has no right in the subject property. Structure was erected without obtaining prior permission from the Competent Authority. In the circumstances, reliefs claimed in this writ petition cannot be granted. Writ petition is dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]