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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition NO. 8649 OF 2012

Nilesh Dinesh Patil

...Petitioner(s)

Versus

Shri. Sanjay Deoram Bhoir And Ors

...Respondent(s)

WITH

Writ Petition NO. 8650 OF 2012

Nilesh Dinesh Patil

...Petitioner(s)

Versus

Mrs. Usha Sanjay Bhoir And Ors

...Respondent(s)

Mr. S.S. Kulkarni for the petitioner in WP No. 8649 of 2012, 8650 of 2012.

Mr. A.Y. Sakhare, Sr. Counsel a/w Mr. Mandar Limaye for respondent nos. 2 and 3 in WP No. 8649 of 2012 and 8650 of 2012.

Mr. R.S. Kate for respondent no.1 in WP No.8649 of 2012 and 8650 of 2012.

Mrs. M.P. Thakur, AGP for State in WP No. 8649 of 2012.

Mr. Asif Patel, AGP For respondent State in WP No. 8650 of 2012.

Mr. R.S. Apte, Sr. Advocate a/w Mr. A.R. Pitale for respondent nos. 2, 3 and 6 in WP No. 8650 of 2012.

**CORAM: SHANTANU S. KEMKAR &
M. S. KARNIK, JJ**
DATED: 21st JULY, 2016

PC:-

Parties through their counsel.

2. Today when the matter came up for hearing, learned counsel for the parties state that these petitions can be disposed of by directing the competent authority of respondent Corporation to consider petitioner's grievance in regard to the unauthorized and illegal construction being carried by respondent no. 1 Mrs. Usha Sanjay Bhoir, contrary to the provisions of Maharashtra Regional and Town Planning Act and also under the provisions of Maharashtra Municipal Corporations Act.

3. In view of the aforesaid prayer being made, we are inclined to dispose of these petitions by directing the Competent Authority of the respondent Corporation to consider petitioner's grievance which is based upon the information received by him under the Right to Information Act in regard to unauthorized and illegal construction carried by the said respondent No. 1 Mrs. Usha

Sanjay Bhoir who is a sitting Corporator of the Corporation. Let the said decision be taken by the competent authority in accordance with law after giving opportunity of hearing to all concerned within two months from today. Needless to say that, in case it is found that the construction has been made unauthorizedly and illegally, all the consequential action, as may be permissible in law, shall be taken. It is also needless to say that the competent authority shall provide appropriate opportunity of hearing to the respondent Corporator before initiating such action.

Both Writ Petitions stand disposed of accordingly.

(M. S. KARNIK,J.)

(SHANTANU S. KEMKAR,J.)