

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 181 OF 2015

Shabbir Yar Khan & 2 others.

... Petitioners.

V/s.

Shri Pramod Naralkar & Anr.

... Respondents.

Mr. Nitesh Bhutekar a/w. Vijay Dighe, Advocate for the
Petitioners.

Mr. Mankirat Singh h/for Sujay Gangal, Advocate for
Respondent No.1.

**CORAM : V. M. KANADE AND
MRS.SWAPNA JOSHI,JJ.**

DATE : 31st AUGUST, 2016

P.C. :

1 The Petitioners, who claim to be social workers,
have filed this Public Interest Litigation, seeking following
reliefs :

- a. Be pleased to call the record and proceedings from
the respondent no.2 in respect with the DRC issued by
the respondent no.2 and be pleased to pass an order
declaring the DRC as illegal document which could not
be utilized by the respondent no.1.

b. Be pleased to issue a writ of mandamus directing the respondent no. 2 to demolish the area of 400 sq. mtrs. consumed by the respondent no.1 which could not be utilized for construction.

c. Be pleased to direct the respondent no. 2 to fix the responsibility on their employees, and architect and to take necessary action against them.

d.

e.

2 In para 1 of the Petition, the Petitioners have stated that several illegalities have been committed by the Respondent by constructing the building on CTS No. 97/1. In our view each and every case of alleged unauthorized construction cannot be agitated before this court as a PIL. We are, therefore, not inclined to entertain this petition as PIL. However, we reserve the right of the Petitioners to approach appropriate forum.

3 The PIL is disposed of.

(MRS.SWAPNA JOSHI,J.)

(V. M. KANADE,J.)

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