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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 2489 OF 2014**

Hasmukh N. Malkan

...Petitioner

Vs.

Municipal Corporation of Greater Mumbai & Ors.

...Respondents

Ms. Soumya Shrikrishnan i/b. Gordhandas  
& Fozdar, Advocate for the Petitioner

Ms. Shobha Ajitkumar, Advocate for the BMC  
Respondent Nos. 1 to 3

Mr. Asif Patel, AGP for Respondent No.4

**CORAM : SHANTANU S. KEMKAR &  
M.S. KARNIK, JJ.**

**DATED : 27<sup>TH</sup> JUNE, 2016**

P.C. :

Parties through their Counsel. The grievance of the  
Petitioner is that inspite of requests made by the Petitioner the  
Respondent No.3 for initiating action for demolition of  
unauthrosied structure standing on CTS No.210 and 210/1  
(old Survey No.4), Hissa No.1(part) situated at village Marol,  
Taluka: Andher(E), Mumbai admeasuring 1855.5 sq.yards  
The Respondent No.3 has not taken any action for removal of

the unauthorised structure.

2. Learned Counsel for the Petitioner submits that in regard to the aforesaid grievance the Petitioner had submitted a complaint **Exhibit-F** to the Respondent No.3 on 19<sup>th</sup> June, 2014, but the Respondent No.3 has not initiated any action as at. Having considered the submissions made by the learned Counsel for the parties we are inclined to dispose of the Petition by directing Respondent No.3 to look into the grievance of the Petitioner and to take appropriate action on the application of the Petitioner dated 19<sup>th</sup> June, 2014 **Exhibit-F** as expeditiously as possible according to law.

3. The Petitioner is at liberty to submit a fresh detailed complaint to Respondent No.3 along with relevant documents. On receipt of a fresh complaint along with relevant documents Respondent No.3 shall take appropriate steps as aforesaid as expeditiously as possible. Needless to say that we have not commented on the detailed allegations made by the Petitioner regarding unauthorised construction.

Respondent No.3 is free to decide the application dated 19<sup>th</sup> June, 2014 as per law.

4. The Petition is disposed of accordingly.

(M.S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)