

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

WRIT PETITION [LD.] NO. 2261 OF 2016

Vishveshwar Dharmdai Sanstha.

..Petitioner.

Versus

Municipal Commissioner, MCGM
and Others.

..Respondents.

Mr. Abhijit Patil i/b Mr. A. S. Patil for the Petitioner.

Mrs. K. H. Mastakar for MCGM.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **September 6, 2016.**

P. C. :

1. Heard. The Petitioner is challenging the Corporation's notice issued under section 55 of the MRTTP Act. We have heard the learned Counsel appearing for the respective parties. We have also perused the impugned notice.

2. The Petitioner has erected the barricade to the temple admeasuring 420 mtrs X 7.50 mtrs. X 6 mtrs using GIS sheets. We, therefore, called upon the Petitioners to produce the permission granted by the corporation to erect the barricade – the offending structure. Learned Counsel appearing for the Petitioner could not point out any permission for constructing the offending structure. In that view of the matter, we do not find any illegality in the impugned notice. Writ petition is without any merit and the same is, therefore, dismissed.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]