



CTS no. 368 and 294 of Village Mogra, Taluka-Andheri, M.S.D., reserved for playground and Primary Municipal School, showing the nature and authority of Respondent Nos. 5 to 8 to use and occupy the said plot of land.

- (b) That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other Writ, order or direction of the similar nature, directing the Respondent No. 2 to forthwith hold a detailed inquiry in delay of furnishing the information and also avoiding to furnish the information and to determine the responsibility and take the appropriate action against the erring officers in compliance of the order dated 25.8.2014 passed by the State Information commission and submit the report of compliance to this Hon'ble Court.
- (c) That this Hon'ble Court be pleased to issue the Writ of Mandamus or any other Writ, order or direction of the similar nature, directing the Respondent Nos. 1 to 4 to resume back the physical possession of the said land and put the said land for the use of public for the purposes the same has been reserved under the provisions of MRTP Act, 1966.
- (d) That this Hon'ble Court be pleased to issue the Writ

of Mandamus or any other Writ, order or direction of the similar nature, directing the Respondent No. 2 to hold an inquiry that who allowed the Respondent Nos. 5 to 8 to use and occupy the said plot of land and why the permission came to granted to the private parties i.e. Respondent Nos. 5 to 8 to use the said plot against the settled law that the public plots cannot be allowed to be used by private parties and after the due inquiry the appropriate action be taken against the erring officers.

- (e) ad-interim and interim reliefs in terms of prayer (b), (c), and (d) above be granted.
- (f) Costs of the petition be awarded; and
- (g) Such other and further and relevant reliefs be granted as this Hon'ble Court may deem fit and proper in the nature and circumstances of the present case.”

2. The grievance of the Petitioner is that the Corporation has given the public playground to a Developer for construction of some temporary structure.

3. The learned counsel appearing on behalf of the Corporation, on instructions, makes a statement that the said structure has been demolished, and has submitted that the ground has already

been restored to its original position. The photographs, showing restoration of the ground to its original position, are taken on record. In view of this statement, nothing remains in the PIL.

4. The learned counsel appearing on behalf of the Petitioner submits that a direction may be given to the Corporation to take action against the Developer. We are informed that the said structure came into existence about seven years ago. We are of the view that since the structure has already been demolished and the ground has been restored to its position, the Petitioner cannot now after seven years seek the directions, which he has sought in this PIL. PIL is therefore disposed of.

Sd/-

[Smt. SWAPNA S. JOSHI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath