

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

PUBLIC INTEREST LITIGATION NO.51 OF 2013

Sudhir Sitaram Gawde ...Petitioner
Versus
The State of Maharashtra and Ors.Respondents

Ms.Kavita Shah, for the Respondent Nos.11 and 13.

**CORAM : V. M. KANADE &
REVATI MOHITE DERE, JJ.**

DATE : 22nd JANUARY, 2016

P.C. :

1. So far as prayer clause (a) in the PIL is concerned, the said prayer does not survive since according to the learned counsel appearing on behalf of the petitioner, the respondents have unauthorisedly constructed the structure on the plots referred to in prayer clause (a). The second

grievance is that the respondent nos.2, 6 and 7 have not taken any further steps pursuant to the notices issued by them dated 27th July, 2012 and 3rd August, 2012.

2. We direct the respondent nos.2, 6 and 7 to take action in accordance with law pursuant to the notices issued by them within a reasonable period of time.

3. Learned Counsel appearing on behalf of the respondent nos.11 and 13 submitted that necessary permission has been granted and a report has been filed by the respondent no.6.

4. In view of this, PIL does not survive.

5. Reserving the rights of the PIL petitioner to challenge the decision of the concerned Authority, PIL is disposed of.

6. It is clarified that so far as the other issues now raised by the petitioner in the additional affidavit are concerned, since no specific reliefs

are claimed in this petition, the petitioner has a right to file a separate PIL in respect of the issues which have been raised in the further affidavit dated 3rd September, 2015.

REVATI MOHITE DERE, J.

V.M. KANADE, J.