

Sequeira

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

PUBLIC INTEREST LITIGATION NO. 51 OF 2017

Mr.Prakash Laxman Jagtap & anr. .. Petitioners
Vs
The Pimpri-Chinchwad New Township
Development Authority & Ors. .. Respondents

Mr.Vasant Raut, for Petitioners.

Ms.M.P.Thakur - AGP, for Respondent-State.

Mr.Mihir Raut i/b Mr.N.P.Deshpande, for Respondent Nos.1 & 2.

***CORAM : DR.MANJULA CHELLUR, C.J. &
N.M.JAMDAR, J.***

Date : September 14, 2017.

P.C. :

Heard learned counsel for Petitioners. Respondent Nos.1 to 3 are represented. The contention of Petitioners is that some private persons are carrying on unauthorised and illegal construction upon the land belonging to Respondent Nos.1 and 2 on Survey no.4 to 8 and 10 to 12 situated at Thergaon, Taluka Mulshi, District - Pune. Apparently, Petitioners have not made the so-called encroachers who are unauthorisedly carrying on illegal construction on the land belonging to Respondent No.1 in terms of 7/12 extract,

as party respondents. In terms of Exhibit 'F' at page 281 which is in Marathi, the first Respondent seems to have stated that more than 4000 notices were issued to the so-called unauthorised persons for removing the unauthorised construction or to vacate the land belonging to the first and second Respondent. This information was given by the first Respondent, on 16 March 2017. Since the first Respondent is also admitting that there are illegal and unauthorised encroachers on the properties belonging to the Respondent No.1, we direct the first Respondent to take the notice referred to in the letter at Exhibit 'F' dated 16 March 2017, to its logical end. We further make it clear that the third Respondent must give all the assistance required for tackling the problem of removal of unauthorised constructions by the first and second Respondents whenever first and second Respondent require such assistance. We hope that Respondents will act within a reasonable time in terms of the letter dated 16 March 2017.

The Petition is accordingly disposed of.

(N.M.JAMDAR, J.)

CHIEF JUSTICE