

Sharayu.

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

WRIT PETITION NO. 10593 OF 2017

Bhanudas G. Dhuri

...Petitioner

Versus

The Office of the Collector & Ors. ...Respondents

Mr. Rajiv Hingu, i/b L.H. Hingu & Co., for the
Petitioner.

Mr. A.P. Vanarase, AGP for the Respondent-State.

Mr. Sudhir Prabhu, for the Respondent No. 9.

**CORAM : SMT. VASANTI A NAIK AND
RIYAZ I. CHAGLA, JJ.**

DATE : 8 November 2017

ORDER :

By this writ petition, the petitioner seeks a direction against the officers of the respondent Nos. 1 to 9 to take immediate action against the construction made by the respondent No. 9 on the land which is affected by the CRZ notification.

It is stated that though the Respondent-Authorities have initiated action against the respondent No. 9 for the demolition of the

construction, the notices are not taken to their logical end.

On hearing the learned counsel for the parties, we find that in respect of the property on which the alleged construction is made by the respondent No. 9, the suit between the petitioner and the respondent No. 9 is pending. If that is so, it would not be proper in exercise of the writ jurisdiction to issue any directions against the respondents for demolition of the structure of the respondent No. 9 at the behest of the petitioner. The respondent Nos. 1 to 8 can independently take appropriate steps for the demolition of the structure of the respondent No. 9, if so desired.

In the circumstances of the case, we dispose of the writ petition. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A NAIK, J.]