

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 9063 OF 2017

Jayant Maniklal Lunawat

.....Petitioner

V/s.

Pune Municipal Corporation and others

....Respondents

Mr. Birendra Saraf a/w Mr. Rahul Totala i/b Mr. Pandit Kasar for the petitioner.

Mr. Shivam Nagalia i/b Triyama Legal for the respondent no. 5.

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

DATE : DECEMBER 5, 2017.

P.C.

Heard.

According to the petitioner, though the trees have been illegally cut and felled by the respondent no. 5 and though several complaints in regard to the illegal felling of the trees were made by the petitioner to the respondent nos. 3 & 4 from time to time, no action whatsoever is taken by the respondent no. 3 or 4 in pursuance of the complaints and the complaints made by the petitioner are not decided. It is stated that though a panchanama was taken on the complaints made by the petitioner, no decision is rendered by the respondent nos. 3 & 4.

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The learned counsel for the petitioner states that though several prayers are made in the writ petition, the grievance of the petitioner would stand redressed, if the complaints made by the petitioner in regard to the illegal felling of the trees are decided by the respondent nos. 3 & 4.

Since the prayer made by the petitioner is innocuous and since the felling of trees without seeking appropriate permission is prohibited under section 8 of the Maharashtra Urban Areas Protection and Preservation of Trees Act, 1975, we dispose of the writ petition with a direction against the respondent nos. 3 & 4 to decide the representation-complaints made by the petitioner after hearing the concerned parties, within a reasonable time. Order accordingly. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]