

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

**WRIT PETITION NO.9421 OF 2015**

|                                 |     |             |
|---------------------------------|-----|-------------|
| Sandip Machindra Patil          | ... | Petitioner  |
| Vs.                             |     |             |
| The State of Maharashtra & Ors. | ... | Respondents |

Ms. Sanjukta Dey for the Petitioner.

Mr. V.M. Mali, A.G.P., for the Respondent-State.

Mr. Prashant Kamble, i/by Mr. A.S. Rao, for Respondent No.2-KDMC.

Ms. Kiran Bhagalia, i/by Mrs. Chitra Phadke, for Respondent No.3-MMRDA.

**CORAM : NARESH H. PATIL &**  
**DR. SHALINI PHANSALKAR-JOSHI, J.J.**

**DATE : 3<sup>RD</sup> APRIL 2017.**

**P.C. :**

1. Heard learned counsels for the respective parties.
2. The Petitioner alleged that Respondent No.6 had carried out illegal construction on the subject plot. This area was earlier under the territorial jurisdiction of MMRDA. The learned counsel for Respondent No.3-MMRDA submits that, in view of the subsequent developments, the area now falls under the jurisdiction of Respondent No.2-KDMC.
3. In the facts of the case, the Petitioner may file a comprehensive representation addressed to Respondent No.2-Commissioner, KDMC.

In case such representation is received, we direct Respondent No.2-Commissioner, KDMC, to look into the matter on its own merits.

4. It is clarified that we have not expressed any opinion on the allegations made by the Petitioner. It is expected that no adverse order would be passed without following principles of natural justice.

5. Petition stands disposed of in the above terms.

**[DR. SHALINI PHANSALKAR-JOSHI, J.] [NARESH H. PATIL, J.]**