

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

**WRIT PETITION NO. 122 OF 2015
WITH
NOTICE OF MOTION (L) NO. 205 OF 2015**

M/s. La-Kozy & Ors. ... Petitioners
V/s.
State of Maharashtra & Ors. ... Respondents

Mr. P K. Dhakephalkar, Senior Counsel a/w Dr. Birendra Saraf a/w Mr. Rohan Sawant for the Petitioner.
Mr. Rajiv Mane, AGP for the Respondent No.1.
Ms. Vandana Mahadik for the Respondent Nos. 2 to 4.
Mr. Ankit Kothari i/b D.H.Law Associates for the Respondent No.5.

**CORAM : A.S.OKA &
SMT. VIBHA KANKANWADI, JJ.
DATE : 22nd JUNE, 2017**

PC.:

. The learned Senior Counsel appearing for the Petitioners states that the Petitioners will be satisfied if a direction issued to the Municipal Corporation to consider the representation which may be made by the Petitioner as regards alleged illegal construction carried out by the Respondent No.5.

2 Accordingly, we dispose of the petition by passing the following order:-

ORDER

a) If a representation is made by the Petitioners, an appropriate

Officer of the second Respondent shall decide the same in accordance with law within a period of three months from the date of filing the representation;

b) The order passed on the representation be communicated to the Petitioner. Needless to add that if on the basis of the representation, the Municipal Corporation proposes to take action against the Respondent No.5, the same shall not be taken without giving an opportunity of being heard to the Respondent No.5;

c) Writ Petition is disposed of on above terms;

d) In view of disposal of the Writ Petition, nothing survives in the Notice of Motion. The same is disposed of as infructuous.

(SMT. VIBHA KANKANWADI, J.)

(A.S.OKA, J.)