

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4309 OF 2017

Fatesh Bahadur Rambux Singh

.. Petitioner

Vs.

Mumbai Metropolitan Region
Development Authority & ors.

.. Respondents

.....

Mr. Vishal Thadani I/b. Veena Thadani for the petitioner.

Mr. Mandar Bangale I/b. The Law Point for respondent No.1-
MMRDA

Mr. V.S. Gokhale 'B' Panel AGP for respondent Nos. 2 and 3.

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**CORAM : NARESH H. PATIL, CJ. &
M.S. KARNIK, J.**

DATE : 22nd DECEMBER, 2018

P.C. :

Learned Counsel for the petitioner submits that on 19th July, 2015, the officers of respondent No.1 - Mumbai Metropolitan Region Development Authority (MMRDA) have forcibly taken over possession of 452 sq.ft. land owned by the petitioner and also demolished a portion of the boundary wall put up by the petitioner without notice and/or without initiation of acquisition proceeding. The petitioner thereafter has

requested respondent No.1 – MMRDA several times to look into the matter and to take appropriate steps in accordance with law. There is no response from MMRDA.

2. Learned Counsel appearing for MMRDA is not instructed to make any statement. The copy of the complaint (Exhibit 'G') addressed to the Commissioner of Police, Thane dated 21/7/2015 is annexed to the Petition.

3. The Petition is pending since more than two years. Learned Counsel for MMRDA is not instructed to make any statement. No reply has been filed by the respondents.

4. In this view of the matter, we observe that

- (a) the petitioner may resort to appropriate remedies in respect of the grievances of the petitioner.
- (b) The petitioner is entitled to file representation to the concerned Authority if the petitioner is aggrieved by any action of the Authority

concerned.

(c) In case, any representation is filed, the Authority concerned would look into the representation and decide the said representation within two weeks thereafter.

(d) All contentions are kept open.

5. The Petition is disposed of.

(M.S. KARNIK, J.)

(CHIEF JUSTICE)