

Sharayu Khot.

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

WRIT PETITION NO. 483 OF 2015

Gauri Prasad Co-op. Housing Society Ltd. ...Petitioner

Versus

Thane Municipal Corporation & Anr. ...Respondents

Mr. Sagar A. Joshi, for the Petitioner.

**CORAM : ABHAY S. OKA AND
RIYAZ I. CHAGLA, JJ.**

DATE : 16 April 2018

ORDER :

1. None appears for the Respondents. The learned Counsel appearing for the Petitioner states that by making representations which are referred to in prayer clause (a), the Petitioner has invited attention of the Respondents to several

illegalities committed and especially about the alleged illegal construction.

2. Considering the nature of the representations, the Petition need not be kept pending. Hence, the Writ Petition is disposed of by passing the following order:-

- (i) We direct the Petitioner to serve true copies of the Representations mentioned in prayer clause (a) in the office of the 2nd Respondent along with an authenticated copy of this order;
- (ii) If the Representations have already been considered, the order passed thereon or action taken on the basis of the Representations shall be communicated to the Petitioner within the period of two weeks from the date on which an authenticated copy of this order is served in the office of the 2nd Respondent;

- (iii) If the Representations have not been disposed of till date, the 2nd Respondent will appoint an appropriate officer to visit the site with a view to ascertain the correctness of the allegations made in the Representations;
- (iv) If any illegalities are found at the time of site visit, an appropriate action shall be initiated by the Respondents within a period of six weeks from the date of which an authenticated copy of this order is served on the 2nd Respondent;
- (v) The action taken or proposed to be taken on the basis of the Representations be communicated to the Petitioner;
- (vi) We make it clear that we have made no adjudication on the merits of the allegations made in the representations;

- (vii) The Petition is disposed of in the above terms;
- (viii) The Respondents to act upon the authenticated copy of this order.

[RIYAZ I. CHAGLA J.]

[ABHAY S. OKA, J.]