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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
WRIT PETITION NO. 2079 OF 2015

Mrs. Kantadevi wd/o. Ramgopal Sharma ... Petitioner
Vs.
The State of Maharashtra and Ors. ... Respondents

Mr. Sushil Upadhyay i/b. Mr. A.M. Saraogi for the Petitioner.
Ms. Uma Palsule – Desai, AGP for the Respondent No.1.
Ms. Vandana Mahadik for the Respondent No.2.
Mr. Bhushan Deshmukh for the Respondent No.3.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 6th AUGUST 2018.

P.C. :

1 Perused the affidavit of Shri Dattatray Kisanrao Bhoje, Assistant Engineer (Building and Factory), P/North ward. In the affidavit, he has stated that the subject structure is situated in a declared slum. The learned counsel appearing for the Municipal Corporation produces for perusal of the Court a notification dated 24th March 1995 issued under Section 4(1) of the Maharashtra Slum Areas (Improvement Clearance and Redevelopment) Act, 1971 (for short “the said Act of 1971”).

2 In view of the said notification, the complaint of the petitioner containing an allegation of carrying out illegal construction has to be addressed to the appropriate authority which is empowered to exercise various powers under the said Act of 1971. We, therefore, dispose of the petition by granting liberty to the petitioner to make a representation to the appropriate authority. If such a representation is made, the said authority shall consider the same in accordance with law.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)