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

WRIT PETITION LODGING NO. 2874 OF 2018

Ravindra T. Gawali

.. Petitioner

Vs.

1. State of Maharashtra and ors.

.. Respondents

Mr. Anand Jondhale I/by Jondhale and Co. for petitioner.

Mr. A. P. Kulkarni for respondent no.3.

Ms. Rupali Adhate for MCGM.

CORAM: NARESH H. PATIL, ACTING CJ. &
G. S. KULKARNI, J.

SEPTEMBER 28, 2018.

P.C.

1. Heard the learned counsel for the parties.
2. The contention of the petitioner is that respondent no. 4 – Omkar Realtors & Developers Pvt. Ltd. had promised to build a strong gate by name “Torna Gate” in the memory of their society which the respondent no.4 had failed to do so. It is the petitioner's case that despite several correspondence with the respondent no.4 since 2017, no action has been taken and thus this petition was required to be filed seeking direction

to respondent nos.1 to 3 to take action on the complaints filed by the petitioner.

3. Having heard the learned counsel for the petitioner and having perused the petition, we are afraid that such a relief cannot be granted by us in exercise of our writ jurisdiction under Article 226 of the Constitution and more particularly when the grievance of the petitioner is against respondent no.4, which is a private party. Petition is, however, free to resort to appropriate remedy for redressal of his grievances against respondent no.4.

4. Keeping all contentions in that regard open, petition is disposed of. No costs.

G. S. KULKARNI J.

ACTING CHIEF JUSTICE

Pravin
Dasharath
Pandit

Digitally signed
by Pravin
Dasharath Pandit
Date: 2018.09.29
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