

Ladda - Nitin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 1242 of 2019

Sandeep Laxman Pashkanti

..Petitioner.

Vs

The Commissioner, Bhiwandi Nizampur

Municipal Corporation of & Ors

..Respondents.

Mr. Subhash V. Gutte, Advocate for the Petitioner.

Mr. Ashutosh R. Gole for respondent Nos. 1 and 2.

**CORAM : S.J. KATHAWALLA &
B. P. COLABAWALLA, JJ.**

DATED :- 12th December, 2019.

P.C. :-

1. The above Writ Petition is filed by the petitioner for the following reliefs :-

(a) This Court be pleased to issue a writ of mandamus or any other appropriate writ, direction and order in like nature to direct Respondent No.1 authority to decide the application dated 1.12.2018 & 05.01.2019 (at Exh.'B')

made by the petitioner in respect of unauthorized / illegal construction which is carried out by Respondent Nos. 3 to 5 in respect of House No. 1043/1, 1043/2 out Survey No.34/2 at Kaneri, Tq. Bhivandi, District Thane. Same may be directed to decide within time bound period preferably within four weeks;

(b) This Court be pleased to issue a writ of mandamus or any other appropriate writ, direction and order in like nature to direct Respondent No.1 authority to take action as per law if in the inquiry it is found any illegality on the alleged construction of House No. 1043(1), 1043 (2) out of Survey No. 34/2 at Kaneri, Tq. Bhivandi, District- Thane.

2. The learned Advocate appearing on behalf of the Bhiwandi Municipal Corporation states that they have already issued notices to respondent Nos. 3 to 5 and have also filed the First Information Report (FIR) with Bhiwandi City Police Station under Section 52 of the Maharashtra Regional & Town Planning Act. The learned Advocate for the Municipal Corporation states that they will expedite their action against respondent Nos. 3 to 5 as per law. The statement is accepted as an undertaking given to the Court. In view of this statement, the above Writ Petition is disposed of.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)