

Sequeira

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

PUBLIC INTEREST LITIGATION NO. 32 OF 2019

Janardan Shankar Jaiswal

.. Petitioner

Vs

The Kalyan Dombivali Municipal Corporation
and others

.. Respondents

Mr.Rakesh Agrawal, for the Petitioner.

Mr.A.S.Rao, for Respondent Nos.1 to 3.

***CORAM : PRADEEP NANDRAJOG, C.J. &
N.M.JAMDAR, J.***

Date : 11 July, 2019.

P.C. :

1. Filed in public interest, with reference to the photographs Exhibit-B, the Petitioner draws attention of the Court to a tin shed structure erected unauthorisedly next to a drain between Chandulal Joshi Complex, opposite Kalyan Railway Station. Annexure Exhibit-H shows that on 30 November 2018 the first Respondent granted permission to one Ankit Gupta to carry out temporary repairs to an old shed which permission was cancelled on 11 December 2018.

2. Learned counsel for the first Respondent states that in view of the permission granted to temporarily repair an old shed, being revoked Shri Ankit Gupta has removed the shed, a fact disputed by learned counsel for the Petitioner.

3. We dispose of the Petition directing the first Respondent to demolish the unauthorised shed in question should the same still exist at the site. The mandamus shall be executed positively within four weeks.

4. No costs.

N.M.JAMDAR, J.

CHIEF JUSTICE