

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.35 of 2019

Nitin Annarao Bhopale

.. Petitioner

Versus

The State of Maharashtra through
Principal Secretary, Urban Development
Department and ors

.. Respondents

...

None for the petitioner.

Mr.M.M. Pabale, AGP for the State.

CORAM: PRADEEP NANDRAJOG, C.J.
AND BHARATI DANGRE, J.

DATED : 21st August 2019

P.C:-

1 Public Interest Litigation is a sequel to an order passed in PIL No.8/2014. The order directed the Municipal Commissioner of Solapur Municipal Corporation to treat the petition as a representation and after holding an inquiry passed necessary orders.

2 The Commissioner, Solapur Municipal Corporation passed an order on 30th May 2018 holding that in view of the law, it was clear that such plots which came into existence before 1st

January 2001 and were not regularized under the Gunthewari Act, Maharashtra Municipal Corporation Act and Maharashtra Regional Town Planning Act, could not be treated to be regularized merely on permission being granted under the Gunthewari Act because there was a reservation of the land. It was held that the permission granted on 19th April 2004 to 10 block holders under the Gunthewari Act and subsequent permission under DPMC and MRTP Act were liable to be revoked and were revoked.

3 The petitioner seeks implementation of the said order passed by the Commissioner to demolish the illegal structures.

4 A Contempt Petition has also been filed by the petitioner who had earlier filed the Public Interest Litigation and in the Contempt. Prayer made is to take action against the Officers for not complying with the order passed by the Commissioner, Solapur which order in turn was passed on the directions issued by this Court.

5 The matter is thus to be considered by this Court in Contempt Petition St.No.26021/2017 and thus the instant Petition is disposed of without any adjudication.

SMT. BHARATI DANGRE, J

CHIEF JUSTICE