

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

WRIT PETITION NO. 6252 OF 2016

Shri Sharad Uttram Pathare

.. Petitioner

Vs.

The Assistant Director of Town
Planning Pune Branch & Ors.

.. Respondents

Mr. A.V.Anturkar, Senior Advocate I/b Mr.P.B. Bhargude for petitioner.

Dr. Mrs. K.R. Kulkarni, AGP for respondent Nos.1 to 3-State.

Mr. N.R. Prajapati a/w. Mr. Y.S. Bhate for respondent Nos.4 to 6-UOI.

Mr.N.P.Deshpande for respondent No.7.

**CORAM : R. M. BORDE &
N.J. JAMADAR, JJ.**

DATE : 6TH AUGUST 2019

P.C.

1 Heard the learned counsel for the parties.

2 The Petitioner in this writ petition is taking exception to the Notice issued by the Pune Metropolitan Regional Development Authority (PMRDA), directing the Petitioner to remove illegal constructions. It would not be necessary for us to consider the merits of the contentions raised by the Petitioner in the petition, for the reasons, that the area which was covered under the jurisdiction of PMRDA has now been included within the extended geographical limits of Pune Municipal Corporation. In the changed scenario, it would be open for the Pune Municipal Corporation to

take steps as permissible in law in respect of the constructions raised by the Petitioner.

3 Since the challenge raised in this petition relates to action taken by the Authority, who does not have jurisdictional control over the area, now, it would not be necessary to scrutinize the contentions raised by the petitioner in the instant petition. It would be open for the Petitioner to take steps, as permissible in law, as and when cause of action accrues or Pune Municipal Corporation proposes any adverse action.

4 With liberty as aforesaid, writ petition is disposed of.

[N.J. JAMADAR, J.]

[R. M. BORDE, J.]