

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

WRIT PETITION NO. 6094 OF 2016

Ramesh Lakshman Deshmukh

... Petitioner.

V/s.

Special Works Officer @ Controller of
Unauthorized Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune & Ors.

... Respondents.

**WITH
WRIT PETITION NO. 6178 OF 2016**

Shital Balasaheb Jadhav

... Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

... Respondents

**WITH
WRIT PETITION NO. 6179 OF 2016**

Maya Lakshman Vayadande

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

**WITH
WRIT PETITION NO. 6180 OF 2016**

Sahebrao Kisan Wadekar

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

... Respondents

WITH

WRIT PETITION NO. 6181 OF 2016

Pramila Uttamchand Nahar
Vs.

.. Petitioner

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6182 OF 2016

Sanjay Kisan Wadekar
Vs.

.. Petitioner

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6183 OF 2016

Ramdas Yashwant Khandve
Vs.

.. Petitioner

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6184 OF 2016

Madhusudan C. Joshi

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6187 OF 2016**

Dattatray Pandurang Ghodekar .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6188 OF 2016**

Pushpa Naresh Garg .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6189 OF 2016**

Kantilal Dyanoba Naravade .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH

WRIT PETITION NO. 6194 OF 2016

Navnath Pandharinath Khandave .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others ... Respondents

WITH

WRIT PETITION NO. 6253 OF 2016

Sangita Sampat Chavan .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH

WRIT PETITION NO. 6254 OF 2016

Seema Rajkumar Marwah and Anr. .. Petitioners

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH

WRIT PETITION NO. 6255 OF 2016

Bharti Suresh Chaudhari .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6259 OF 2016**

Umesh Khandu Khandve ... Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6260 OF 2016**

Gulabrao Namdeo Khandave .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6261 OF 2016**

Vithal Kashinath Thorat .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6262 OF 2016**

Shaikh Sabit Ali Waris Ali .. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH
WRIT PETITION NO. 6263 OF 2016

Shahaji Namdeo Khandve .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH
WRIT PETITION NO. 6267 OF 2016

Ganesh Ramesh Devkar .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH
WRIT PETITION NO. 6268 OF 2016

Bhausahab Shantaram Zurunge .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH
WRIT PETITION NO. 6269 OF 2016

Rutuja Ganesh Pathare .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development

Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6270 OF 2016

Vinayak Piraji Ransing
through legal heir wife
Kamal Vinayak Ransing

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6271 OF 2016

Sunil Baban Ransing

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6272 OF 2016

Prashant Namdeo Nalge

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others

.. Respondents

WITH

WRIT PETITION NO. 6275 OF 2016

Mahendra A. Ransing

.. Petitioner

Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6512 OF 2016**

Vijayashri Vijay Phulpagar .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6513 OF 2016**

Bhagwan M. Gore .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

**WITH
WRIT PETITION NO. 6098 OF 2016**

Tukaram Namdeo Daravade .. Petitioner
Vs.

Special Works Officer @ Controller of
Unauthorised Construction (In Charge),
Pune Metropolitan Region Development
Authority, Pune and others .. Respondents

WITH

WRIT PETITION NO. 8028 OF 2016

Captain Mansingh Yadav (Rtd)	.. Petitioner
Vs.	
Special Works Officer @ Controller of Unauthorised Construction (In Charge), Pune Metropolitan Region Development Authority, Pune and others	.. Respondents

Mr. A. M. Kulkarni, Advocate, a/w. Mr. Sarthak S. Diwan
and Mr. Vaibhav Gaikwad, Advocates, for the Petitioners.

Mr. Abhijit P. Kulkarni, Advocate for Respondent Nos. 1 to 3.

Smt. Shehnaz V. Bharucha, Advocate with Mr. N. R. Prajapati for the Respondent Nos. 5 & 6 in Writ Petition Nos. 6094/2016, 6178/2016, 6179/2016, 6180/2016, 6181/2016, 6182/2016, 6183/2016, 6184/2016, 6187/2016, 6188/2016, 6189/2016, 6194/2016, 6098/2016, 6263/2016 & WP Nos. 6267/2016 to 6272, 6275/2016, 6512/2016, 6513/2016 and 8028/2016.

Mr. Y. S. Khochare, AGP for State in all the Petitions.

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

DATE : JULY 17, 2019.

PC :

1 Heard the learned counsel for the parties.

2 Some of the writ petitions i.e. writ petition nos. 6098/2016, 6263/2016, 6267/2016 to 6272/2016, 6275/2016, 6512/2016, 6513/2016 and writ petition no. 8028/2016 are not on board. Mentioned. Taken on Board.

3 The Petitioner(s) in these writ petitions are taking exception to the Notice issued by the Pune Metropolitan Regional Development Authority, directing the Petitioner(s) to remove illegal constructions. It would not be necessary for us to consider the merits of the contentions raised by the Petitioners in the petitions, 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 for the Pune Municipal Corporation to take steps as permissible in law in respect of the constructions raised by the Petitioners. Since the challenge raised in these petitions 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(s) in the instant petitions. It would be open for the Petitioners 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 petitions are disposed of.

(N.J. JAMADAR, J.)

(R.M. BORDE, J.)

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