

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9102 OF 2013

Nandu Antaram Rajput

.... Petitioner

Vs.

Municipal Corporation for City
of Pune & Anr.

.... Respondents

Mr. T.D. Deshmukh for the Petitioner.

Mr. Abhijit P. Kulkarni for Respondent No.1.

CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.

DATE : JULY 09, 2019

P.C:

1. In terms of the earlier order and as indicated in open Court, when we were disinclined to quash and set aside the notice issued to the petitioner in respect of the construction, on instruction, leave is sought to withdraw the writ petition. It is stated that the land beneath this construction belongs to the petitioner. For that land to be taken by the Municipal Corporation, it will have to take recourse to law. We do not

express any opinion on this aspect of the matter and in the event the petitioner is claiming right, title and interest in the land beneath, he is free to approach such authorities as are prescribed in law and request them to take over his alleged right, title and interest in the same. Beyond the challenge to the notice under Section 260(1) of the Maharashtra Municipal Corporations Act, 1949, the writ petitioner was not claiming anything in relation to the land. Hence, the writ petition is dismissed as withdrawn. No costs.

2. Ad-interim/interim order, if any, stands vacated forthwith.

(G.S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)