

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

PUBLIC INTEREST LITIGATION NO.2 OF 2012

Kartik Mohanbhai Patel

... Petitioner

Vs

Mr.Mohan Sanjibhai Delkar & ors.

... Respondents

Ms.Gunjan Mangal for the Petitioner

Mr.P.K. Dhakephalkar, Senior Advocate i/b Mr.Kunal Bhanage for
Respondent No.1

Mr.L.M. Acharya with Mr.Satyam Acharya for Resp. No.2
Mr.S.S. Deshmukh for Resp. Nos.3 & 4

**CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.**

DATED: DECEMBER 2, 2019

P.C.:

1. The petitioner must make a specific complaint to the Collector and the Administrator, Union Territory if the petitioner feels that a Sanghatana or an organisation known as Adivasi Vikas Sanghatana, who is respondent No.2 to this petition, has made any construction contrary to law or has made a construction or development beyond the sanctioned and approved plan. Should any complaint of this nature be received, the Collector to take

cognisance and deal with it in accordance with law. No relief other than this can be granted for we do not know whether the notice at page 88 was enough to deal with the construction or the development complained of.

2. Needless to clarify that we have neither held any construction or activity made by respondent No.2 to be illegal or unauthorised nor have we expressed any opinion on the locus of the petitioner. We are only activating the Collector and the Administrator so that no construction which is illegal or unauthorised remains and continues to be used by the concerned people muchless the Adivasi Vikas Sanghatana.

3. Public Interest Litigation is disposed of. No costs.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)