

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12605 OF 2019

M/s. Stone Resource Through D. Sanghavi and anr... Petitioners

Versus

The Administrator and Ors.

... Respondents

Mr. Mayur Khandeparkar a/w Adv Miloni Sanghvi i/by M/s. Solicis
Lex for the petitioners.

Mr. Shrishailya Deshmukh for the respondents.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : DECEMBER 12, 2019

P.C.:

The dispute is in relation to notice for removal of unauthorized structure. According to petitioners, the service station building on the land bearing Survey No. 667/1/2/1 at village Naroli is duly sanctioned and has got occupancy certificate from the planning authority on 21/2/2017.

2. Learned counsel appearing for respondent nos. 1 to 5 states that the removal proposed is of unauthorized structure i.e. shed and not of the structure which is supported by the occupancy certificate.

3. Petitioners have no objection if any such unauthorized

structure is proceeded against as per law.

4. Counsel for the respondents makes a statement that the petitioners themselves have started dismantling the unauthorized shed.

5. As the Planning Authority is not proceeding against the service station in relation to which occupancy certificate has been issued, we find that the grievance of the petitioners in so far as authorized structure is concerned does not survive, we dispose of the writ petition.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)