

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14744 of 2018

Sou.Sarika Vivek Chavan
Nee Sarika Anand Kalbhor .. Petitioner
Versus
Pimpri Chinchwad Municipal
Corporation through the Municipal
Commissioner and others .. Respondents

...

Mr.Prasad Kulkarni i/b Prasad Kulkarni & Associates for the
petitioner.
Mrs.M.P. Thakur, AGP for the State

**CORAM: SHRI RANJIT MORE &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 4TH JANUARY 2019

P.C:-

1 Heard learned counsel for the petitioner and
learned AGP for the respondents no.2.

2 Since we propose to pass innocuous order, in our
opinion, it is not necessary to hear either respondent no.1 or
respondent no.2. The petitioner claims to be one of the co-
owners in undivided property. It is the case of the petitioner
that without her consent, the subject land is developed by

respondent no.3 at the instance of other co-owners and commencement certificate is also obtained. The construction of the building is also completed. Learned counsel submits that he has made several applications to the respondent no.1 Corporation making the above said grievance. However, they have not given any heed to the same. Learned counsel submits that in this regard, civil suit is also pending and he will be satisfied if directions are given to the respondent no.1 to decide the representation dated 5th December 2018, copy of which is annexed at Exhibit-D page 23. Learned AGP submits that appropriate order may be passed.

3 In light of above, we deem it convenient to dispose of this writ petition by directing the respondent no.1 /Competent Officer to decide the representation dated 5th December 2018, copy of which is at Exhibit-D page 23, as expeditiously as possible and preferably within a period of six weeks from the date of receipt of this order.

4 Ordered accordingly.

5 It is made clear that we have not gone into the merits of the matter and all points and contentions of the respective parties are kept open. Respondent no.1 Competent Authority shall decide the said application only after giving an opportunity of hearing to all concerned.

6 Needless to mention that Corporation / Competent Authority shall dispose of the said representation on its own merits and in accordance with law in order to comply with this order.

7 Petitioner shall remain present before the concerned Authority on 21st January 2019 at 11.00 a.m along with the copy of the said representation as well as copy of this order.

(SMT. BHARATI H. DANGRE, J.)

(RANJIT MORE, J.)