

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3268 OF 2019****Mr. Rafakat Ali Abbas Ali Khan** ... **Petitioner****Versus****The State of Maharashtra and others** ... **Respondents**

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Mr. Afroz A. Siddiqui for the Petitioner.**Ms. M.P. Thakur, AGP for Respondent No.1.****Mr. N.R. Bubna for Respondent Nos.2 and 3.**

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CORAM : S.J. KATHAWALLA AND**B.P. COLABAWALLA, JJ.****DATED : FEBRUARY 10, 2020.****P.C. :-**

1. Admittedly, the Thane Municipal Corporation at the time of road widening needed the Petitioner's land to put up an electric pole. The grievance of the Petitioner is that though a part of the land is already taken by the Corporation for putting up the electric pole, he has not received any compensation or TDR which he is entitled to in law. The Learned Advocate appearing for the Corporation has drawn our attention to the letters dated 23rd March, 2018 and 18th February, 2019 addressed inter-alia to the owners of the land, calling upon them to submit proof of ownership of the said land. The Learned Counsel states that even at this stage the owners of the land may submit the necessary documents and after going through the same, the Corporation shall

proceed to decide the issue of compensation by granting TDR to the Petitioner.

2. The Petitioner is directed to submit proof of ownership of the land to the Corporation alongwith the requisite documents within a period of two weeks from today. The Corporation shall within a period of four weeks thereafter decide the application of the Petitioner seeking compensation in the form of TDR. The above Writ Petition is accordingly disposed off.

(B.P. COLABAWALLA, J.)

(S.J. KATHAWALLA, J.)