

BASAVRAJ
GURAPPA
PATIL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8695 OF 2021

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BASAVRAJ GURAPPA
PATIL
Date: 2021.12.10
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Ayesha Armoghan Ansari

..... Petitioner

Vs.

Bhiwandi Nizampur City
Municipal Corporation & Ors.

..... Respondents

Mr. Gautam Jain a/w. Ajay Pagedar for the Petitioner

**CORAM: A.A.SAYED &
ABHAY AHUJA, JJ.**

DATED : DECEMBER 8, 2021

P.C.

1 The Petitioner is seeking demolition of the construction being carried out in his property after entering into a development agreement with Respondent Nos.5 and 6 – Developer for development of his own property. The Petitioner contends that the construction carried out by the Respondent Nos.5 and 6 is illegal.

2 In the facts and circumstances of the case, since the building is coming up in the private property of the Petitioner and that too after the Petitioner himself has entered into a development agreement with Respondent Nos.5 and 6, it would only be appropriate for the Petitioner to seek necessary relief by filing a suit or such proceedings as may be advised.

3 In our view, this is not a fit case to exercise the extraordinary and discretionary writ jurisdiction of the Court.

4 The Petition is accordingly dismissed. It will be open for the Petitioner to take recourse to appropriate remedies available under the law.

(ABHAY AHUJA, J.)

(A.A.SAYED, J.)