

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11338 OF 2019

**MR.SAYED IMTIYAZ HUSSAIN ABDUL MAJID)
DECEASED THROUGH LEGAL HEIR SAIYED)
ISRARSUSAIN IFTEKHARHUSAIN (AFSAR))...PETITIONER**

V/s.

**THE COMMISSIONER KALYAN DOMBIVALI)
MUNICIPAL CORPORATION AND ORS.)...RESPONDENTS**

Mr.K.S.Dewal i/b. Mr.J.M.Joshi, Advocate for the Petitioner.

Mr.A.S.Rao, Advocate for the Respondent/KDMC.

**CORAM : A. A. SAYED &
S. G. DIGE, JJ.**

DATE : 11th AUGUST 2021

P.C. :

1 The sole prayer in the Petition reads as follows :

“That this Hon’ble High Court be pleased to issue a writ of Mandamus and/or any other appropriate Writ, Order or direction in the nature of Mandamus thereby directing the

Respondent No.1 and 2 to decide the application / representation dated 11.05.2017 and 08.04.2019 filed by the Petitioner to obtain FSI admeasuring 3201.640 sq.mtr at 2:2 ration in respect of the said property, as expeditiously as possible.”

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2 Having heard the learned Counsel for the Petitioner and the learned Counsel for the Respondent/Corporation, we are inclined to allow the Petition and accordingly direct that the Representation dated 11th May 2017 (Exhibit N to the Petition) and Representation dated 8th April 2019 (Exhibit Q to the Petition) be decided by the Respondent No.1 Commissioner, Kalyan Dombivali Municipal Corporation expeditiously and in any event, within a period of eight weeks from today.

3 The Petition is allowed in the aforesaid terms.

(S. G. DIGE, J.)

(A. A. SAYED, J.)