

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 WRIT PETITION NO.12767 OF 2019

RATANRAO DHADU PATIL
VERSUS
THE STATE INFORMATION COMMISSIONER
NASHIK AND OTHERS

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Advocate for Petitioner : Mr. Vinod Prakash Patil
AGP for Respondent- State : Mr. S.N. Morampalle
Advocate for Respondent Nos.2 & 3 : Mr. J.V. Patil

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CORAM : SANDEEP V. MARNE, J.

DATE : 15-11-2022

PER COURT :

. The petitioner is aggrieved by the order dated 24.08.2018 passed by the State Information Commissioner in Appeal No.2929 of 2016. In the application made under the Right to Information Act, 2015, the petitioner had sought the information *inter alia* about the demolition action taken in respect of his property bearing City Survey No.2842. It appears that the information has been supplied to the petitioner by letter dated 25.07.2016. The only grouse of the petitioner is that a copy of the notice of demolition which is supplied to him is in respect of City Survey No.2811, when in fact City Survey Number of his house property is 2842. The petitioner therefore submits that the notice in respect of altogether different property has been supplied to him.

2. Mr. Patil, the learned counsel for the petitioner fairly concedes to the position that this aspect was not highlighted by the petitioner in the appeal filed before the State Information Commissioner. Ordinarily therefore this grievance of the petitioner cannot be entertained.

3. However with a view to put an end to the entire controversy, the Municipal Council is directed to supply copy of notice issued under Section 179 of the Maharashtra Municipalities Act, 1965, in respect of City Survey No.2842, if issued, to the petitioner within a period of six weeks from today.

4. The petitioner has already filed civil suit challenging the demolition action, which is pending. If indeed any notice was issued in respect of construction at City Survey No.2842, copy thereof shall be supplied to the petitioner within a period of six weeks from today.

5. With the aforesaid directions, the writ petition is disposed of.

(SANDEEP V. MARNE, J.)