

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2017 OF 2019

...
Bhakti Complex Sahakari
Graharachna Sanstha Maryadit & Ors. Petitioners
Vs.
The Commissioner, Pimpri Chinchwad and Ors. Respondents

...
Mr. R. G. Patil for the Petitioners.
Mr. Deepak R. More with Mr. Shivram A. Gawade for Respondent No.1.
Mr. A. I. Patel, Addl. GP for the State.
Mr. Pavan Patil for Respondent No.3.
...

**CORAM : A.A. SAYED &
ABHAY AHUJA, JJ.**
DATED : 06 JUNE 2022

P.C.:

The above Petition is filed seeking the following relief:

“(a) this Hon’ble Court may be pleased to issue an appropriate writ, order or direction to Respondent No.1 to decide the complaints filed by the Petitioner in time bound period and take action against the illegal and unauthorised structure constructed by the Respondent No.3 in Open Space of the building of Petitioner situated at C.T.S. No.5724 and 5727 Kharalwadi, Mumbai-Pune Road, Pimpri, Pune and to demolish the illegal structure constructed by Respondent No.3.”

2. Learned Counsel for the Respondent-Corporation has pointed out that there is a civil suit filed by the Petitioner-Society against the Respondent No.3, wherein it has failed to obtain any ad-interim/interim

relief. He further states that the structure of the Respondent No.3 is on access road and not in the property of the Petitioner-Society.

2. In view of the above, we are not inclined to exercise the extraordinary and discretionary writ jurisdiction and grant the relief sought in the Petition.

3. The Petition is dismissed. We make it clear that we have not gone into the merits of the matter.

(ABHAY AHUJA,J.)

(A.A.SAYED, J.)