

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3763 OF 2022

Mr. Mohammed Isa Khan s/o Haji Mohammed
Yaseen Khan ...Petitioner
Versus
State Of Maharashtra Through Urban
Development Authority & Ors ...Respondents

Mr. Sandeep Mishra i/b. Adv. Gangesh Jha for the Petitioner.
Mr. A. A. Alaspurkar, AGP for the Respondent-State
Mr. Mandar Limaye for the Respondent-Corporation.

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

DATED : 1st APRIL, 2022

P.C.:

The Petition is filed seeking the following relief:

(a) The Hon'ble Court by an appropriate writ, direction, order of this Hon'ble Court direct the respondent no. 3 to conduct the hearing and decide the complaint dated 10/05/2021 in pursuance of hearing letter dated 09/08/2021 in accordance with law as earliest as possible and thereby to take immediate and stern action in pursuance of said complaint dated 09/08/2021

2. Learned Counsel for the Petitioner has invited our attention to the order dated 9th July, 2021 passed in WP/2544/2021 filed by the Petitioner (Exhibit-I, page no. 57 of the Petition). By the said order the Respondent No. 3-Assistant Commissioner, Thane

Municipal Corporation was directed to decide the complaint of the Petitioner dated 10.05.2021 expeditiously.

3. Pursuant to the aforesaid order, the Assistant Commissioner by letter dated 09.08.2021 called the Petitioner for hearing on 12.08.2021 at 12.00 noon. On that day the Petitioner filed his written notes of arguments. However, on 13.08.2021 the complaint of the Petitioner was transferred to the Respondent No. 3-Assistant Director, Town Planning Department, Thane Municipal Corporation.

4. In the facts and circumstances of the case, we dispose of the Petition by recording the statement of learned Counsel for the Respondent-Corporation that the Respondent No. 3-Assistant Director, Town Planning Department shall issue a fresh notice of hearing to the Petitioner as well as all other concerned parties and pass appropriate order within a period of 12 weeks from today.

5. The Petition to stand disposed of in the aforesaid terms.

ANANT
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NAIK

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by ANANT
KRISHNA NAIK
Date: 2022.08.07
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(ABHAY AHUJA, J.)

(A. A. SAYED, J.)