

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

**WRIT PETITION NO.8301 OF 2022**

Anjani Kumar Co. Pvt. Ltd.

.. Petitioner

v/s.

State of Maharashtra and Ors.

.. Respondents

Mr. Amogh Singh a/w Mr. Sumeet Pandey i/by Mr. Bhavin & Bhatia, for the petitioner.

Mr. M. S. Lagu, for respondent Nos.2 to 5.

Mrs. M. S. Bane, AGP – State, for respondent No.1

**CORAM : R.D. DHANUKA &**

**KAMAL KHATA, JJ.**

**DATED : 7<sup>th</sup> SEPTEMBER, 2022.**

**P.C. :**

1. Rule, the Learned AGP waives service for respondent No.1. Mr. Lagu, learned counsel for Respondent No.2 waives service. Rule is made returnable forthwith.

2. This petition is filed under Article 226 of the Constitution of

India. The Petitioner seeks a writ of mandamus against the

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respondent Nos.2 to 5 to decide the representation dated 15<sup>th</sup> February 2022 made by the petitioner and to ensure that the petitioner is provided relief as prayed thereunder in time bound manner by directing demolition of the illegal construction.

3. Petitioner presently seeks an order and direction against respondent Nos.2 to 5 to decide the representation made by the petitioners. If it is pending, we direct the respondent Nos.2 to 5 to decide the said representation within a period of three months from today after giving personal hearing to the petitioners and other persons whose structures are alleged to be illegal structures according to the petitioner. Competent authority shall hear such representation, pass an order and shall communicate the same to the petitioner as well as the other affected parties if any, within one week from passing of the order.
4. The person/s who may be aggrieved by the order are at liberty to file appropriate proceedings permissible in law. It is made clear that this Court has not expressed any views on the merits of the said representation made by the petitioner. All contentions on merits are kept open.

5. Writ petition is disposed off in aforesaid terms. Rule is made absolute. No order as to costs. Parties to act on the authenticated copy of this order.

(KAMAL KHATA, J.)

(R.D.DHANUKA, J.)