

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

WRIT PETITION NO. 11273 OF 2022

Yashwant Bhalurao Chavan ... Petitioner

Versus

State of Maharashtra & Ors. ... Respondents

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Mr. Ashish P. Pawar for the Petitioner.

Mr. A.I. Patel, Addl. GP with Mr. R.S.Pawar, AGP for the State.

Mr. Rohit Sakhadeo for the Respondent No.4.

Mr. Majid Ibji i/b. Mr.Hemant Ghadigaonkar for the Respondent No.5.

Ms. Manisha Jagtap for Pune Municipal Corporation.

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**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 18 OCTOBER 2022

P.C. :

By this petition, the Petitioner is seeking a direction to the Respondent Nos. 1 to 4 to demolish a building structure described in the petition. As to the locus of the Petitioner, the learned Counsel for the Petitioner states that the Petitioner is an adjacent land owner. The learned Counsel for the Petitioner also states as regard private dispute with Respondent No.5, a civil suit is pending. Therefore, the role of the Petitioner is akin to informing to the planning authority regarding unauthorized construction in the city. We do not recognize any special locus to the petitioner.

2. Since a representation is made to Respondent No.4, it is for Respondent No.4 to look into the same and deal with the same like any other complaint or grievance regarding unauthorized construction after following the due procedure. Therefore, the learned Counsel for Respondent No. 4 states that the Petitioner has already annexed a notice issued by Respondent No.4, and process is set in motion. Therefore, without commenting on the correctness of the complaint, keeping all the contentions of Respondent No.5 open when the action is taken, we dispose of the petition.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)