

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12102 OF 2022

Sameena Rafique Ansari : Petitioner.
Versus
The State of Maharashtra and ors. : Respondents.

Mr. K P Shetye for Petitioner.
Mrs. M S Srivastava, AGP for the Respondent No.1/State.
Mr. Mandar Limaye for Respondent No.2.

CORAM : S. V. GANGAPURWALA &
ARIF S. DOCTOR, JJ.
DATED : 28th NOVEMBER 2022

PC.

1 In the present writ petition, it appears that there is a dispute between the Petitioner and the developers as the contention of the learned counsel for the Petitioner that building in question constructed after the Petitioner (Tenant) was directed to be vacated is not constructed in accordance with sanctioned plan.

2 We do not have anything on record to arrive at a finding. The complaint which is filed before the municipal commissioner is also not very clear.

3 In case, the construction has been carried out in illegal manner on the premises where the Petitioner was directed to be re-inducted as tenant then

it is for the Petitioner to approach the municipal corporation giving details. In case, such an application is made, it is for the municipal corporation to consider the legality of it, of-course after hearing all the parties concerned on its own merits and in accordance with rules and regulations.

4 Writ Petition is disposed of. No costs.

[ARIF S. DOCTOR, J]

[S. V. GANGAPURWALA, J]