

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9229 OF 2013

Rajram Pandurang Lote] ... Petitioner

Vs.

Mumbai Metropolitan Regional]
Development Authority & Ors.] ... Respondents

...

Mr. R.M. Haridas with Mr. R.P. Lote i/b Mr. B.G. Tangsali for
the petitioner.

Mr. G.B. Walawalkar i/b Mr. S.P. Thorat for respondent No.3 -
Thane Zilla Parishad.

Mr. D.S. Mhaispurkar i/b Mr. S.M. Mangaonkar for respondent
No.5.

...

**CORAM : R.D. DHANUKA &
KAMAL KHATA, JJ.**

DATED : 05TH AUGUST, 2022.

P.C.:-

1. In pursuance of the order dated 25/07/2022 passed by this Court, learned counsel for respondent No.5 tenders an affidavit cum undertaking on behalf of his client, thereby undertaking that the structure abutting 12 mt. D.P. Road (two shops) will be

demolished by him on or before 01/10/2022. The undertaking is accepted.

2. It is made clear that if the said two shops abutting the 12 mt. D.P. Road are not demolished by respondent No.5 by 01/10/2022, the Municipal Corporation shall demolish the structure without further orders from this Court and, if necessary, with the help of the local police.

3. Mr. Haridas, learned counsel for the petitioner states that there are other unauthorized constructions on the said plot and the same would be identified by the petitioner by addressing letters/complaints to the Municipal Corporation within two weeks from today. The statement is accepted.

4. If any such letter/complaint is brought to the notice of the Municipal Corporation, the Municipal Corporation shall verify the correctness of such complaint that would be made by the petitioner and, if satisfied that there is any unauthorized construction, shall take appropriate steps against the person, who has carried out such construction, if any, in accordance with law.

5. The writ petition is disposed off in the aforesaid terms. No order as to costs.

[KAMAL KHATA, J.]

[R. D. DHANUKA, J.]