

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

WRIT PETITION NO. 14894 OF 2022

Smt. Vidya S. Mali
& Another .. Petitioners.
v/s.
State of Maharashtra
& Others .. Respondents.

Mr. Prashant P. Kulkarni, for the Petitioners.

Mr. Akshay Shinde with Mrs. Nisha Mehra, AGP, for Respondent No.1-
State.

**CORAM: S.V. GANGAPURWALA &
S.G.CHAPALGAONKAR,JJ.
DATED : 6th DECEMBER, 2022.**

PC:-

We are not convinced with the submissions of learned Counsel for the Petitioners for exercising our powers under Article 226 of the Constitution of India.

2 The grievance of the Petitioners is that the Respondent No.3 has carried out the construction on the plot of the Petitioners' property. As far as the illegal un-authorized construction is concerned, it is for the Respondent No.2 to take steps in accordance with law.

3 The Petitioners have also filed Civil Suit, but the same is pending. It is submitted that the order of status-quo is passed and the person carrying out un-authorized construction has violated the status-quo order. The Petitioners has a remedy available for flouting the order of the Court. It is for the Petitioners to take steps.

4 The Petitioners may take appropriate steps before the Court as permissible under the law.

5 All contentions kept open.

6 Writ Petition disposed of. No costs.

(S.G.CHAPALGAONKAR,J.)

(S.V.GANGAPURWALA,J.)