

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

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ANIL TIKAM

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CIVIL APPELLATE JURISDICTION
WRIT PETITION No. 1520 OF 2023

Vijay Laxman Shetty

...Petitioner

Vs.

The State of Maharashtra
Thr. Housing Development
and Ors.

...Respondents

Mr. Dinesh D. Bhosale for Petitioner

Mr. Rupali M. Shinde, AGP for Respondent No.1-State

Mr. Siddharth Chandrashekhar for Respondent No.2

CORAM : SUNIL B. SHUKRE &
RAJESH S. PATIL, JJ.

DATED : 19th AUGUST, 2023

P.C.:

1. Heard.
2. The grievance of the Petitioner is that the adjoining society has made some construction on the adjoining land in violation of the building plan sanctioned by MHADA and this fact can be seen from the photographs attached to the petition. There is, however, no finding or determination recorded by the MHADA that the construction shown in the photographs is unauthorized. That means, the Petitioner would have to approach appropriate Civil Court for redressal of his grievance as he would have to first establish the fact by leading evidence that the subject construction is unauthorized.

3. Hence, petition is dismissed with liberty to the Petitioner to approach the appropriate Civil Court.

4. Petition is disposed of accordingly.

(RAJESH S. PATIL, J.)

(SUNIL B. SHUKRE, J.)