



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3595 OF 2024

YOGESH PANDURANG KANGARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

Mr. G. P. Darandale, Advocate for the Petitioner

Mr. A. B. Girase, Government Pleader for the Respondent/State

CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.

DATE : 10th April, 2024

PER COURT :-

1. The Petitioners have put forth prayer clauses 'B' and 'C' as under:-

"B) By issuing writ of mandamus or appropriate writ or directions or any other writ of like nature, the respondent authorities to initiate the proceeding under the provision of Section 189 of the Maharashtra Municipal Council Act and under the Provision of Section 44, 45, 52 to 59 of Maharashtra Regional and Town Planning Act against the illegal construction as stated in Exh-D and Exh-E of the Petition.

C) To issue direction against the Respondent authorities to initiate the proceeding under the Provisions of Section 44, 45, 52 to 59 of Maharashtra Regional and Town Planning Act against the illegal construction as stated in Exh-D and Exh-E of the Petition."

2. Having heard the learned Advocate for the Petitioner and the

learned GP, it is obvious that the C.O. Shrirampur has to comply with the directions of the Joint Commissioner, Municipal Administration, Office of the District Collector, Ahmednagar dated 24th February, 2024 and submit a compliance report to the latter. As such, if no compliance report is submitted, the Joint Commissioner can initiate action.

3. In view of the above, **this Writ Petition is disposed off.**

4. We expect Respondent No. 6 to ensure that Respondent No.7/C.O. Shrirampur shall complete the exercise as is expected, in the light of the communication dated 24th February, 2024 expeditiously.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp