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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

920 WRIT PETITION NO. 13264 OF 2024

1. RATAN BHAUSAHEB KANADE
2. SACHIN RATAN KANADE

VERSUS

1. THE STATE OF MAHARASHTRA, THROUGH ITS
PRINCIPAL SECRETARY URBAN DEVELOPMENT DEPT.,
MUMBAI
2. THE ADMINISTRATIVE OFFICER, MUNICIPAL
CORPORATION, AHMEDNAGAR
3. THE TOWN PLANNING OFFICER, MUNICIPAL
CORPORATION, AHMEDNAGAR
4. MILIND NAMDEO KANADE
5. CHETAN NAMDEO KANADE

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Mr R. G. Hange and Mr A. R. Hange, Advocate for petitioners
Ms N. B. Kamble, A.G.P. for respondent No.1

**CORAM : MANGESH S. PATIL
AND
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 5th December, 2024

PER COURT:

1. Heard.
2. The Petitioners are alleging that respondent Nos.4 and 5 are undertaking illegal and unauthorized construction on their own property. The petitioners being adjoining property owners, they

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are soliciting writ of mandamus for removal of the construction and soliciting direction to the respondent/Municipal Authorities to invoke the powers under the provisions of the Maharashtra Municipal Corporations Act, 1949 and the Maharashtra Regional and Town Planning Act, 1966.

3. This writ petition is disposed of with liberty to the petitioners to resort to the appropriate remedies including of approaching the Civil Court.

(PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)

sjk