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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5359 OF 2024

M/s. Jasa Lumbaji & Co. ...Petitioner
Through its Partner
Mr. Abhishek Suraj Parmar
Versus
State of Maharashtra and ors. ...Respondent

Mr Rohan Mahadik i/by The Juris Parnters , for the Petitioner.
Mrs M P Thakur, AGP , for the Respondent-State.
Mr N R Bubna, for Respondent Nos. 2 to 5
Mr Kunal Maskar (Through VC) for Respondent No.7
Mr Milind Parab, for Respondent No.9

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 01st July 2024

PC:-

1. The only relief that we can grant in a Petition of this nature is to direct the Thane Municipal Corporation (“the TMC”) to consider and dispose of the Petitioner’s complaint dated 17th October 2023 about certain illegal constructions allegedly undertaken by the 7th Respondent. The TMC must look into this complaint, hear the Petitioner and the 7th Respondent, and pass a reasoned order on or before 29th July 2024.

2. The TMC must find out if any illegal construction is indeed undertaken by the 7th Respondent and if so, take necessary action in accordance with law.
3. For the present, we have not examined the merits of the rival contentions, and therefore, all the contentions of all parties are left open to be examined by the TMC in the first instance..
4. If any of the parties are aggrieved with the decision of the TMC, they would have the liberty to challenge such decision in accordance with law.
5. With the above directions, this Petition is disposed of.
6. There shall be no order for costs.
7. All concerned to act upon an authenticated copy of this order.

(Kamal Khata, J)

(M.S. Sonak, J)