

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.18720 OF 2024

Satish Maruti Indure and Ors.

...Petitioners

V/s.

Nagar Parishad, Karmala

Through its Chief Executive Officer

...Respondents

Mr.Rahul Kadam i/b. Mr.Shardul Diwan:-	Advocate for Petitioners.
--	---------------------------

CORAM : S. M. MODAK, J.

DATE : 17th DECEMBER 2024

P.C. :-

1. Heard learned Advocate Shri.Kadam for the Appellants/
Plaintiffs.

2. Their Application for grant of interim prohibitory injunction
came to be rejected by the trial Court and it is confirmed by the
Appellate Court. The Appellate Court granted them protection till 20th
December 2024.

3. The submission made is, all the structures are standing on a land
owned by one Ramesh and Vijaykumar Rathod. The owners joining

hands with the Officials of Nagarparishad were instrumental in issuing the notice from the Respondent. It is a vague notice.

4. It is submitted, all the structures even though adjacent to the public road, they are standing on a private land and as such, Nagarparishad cannot issue notice as per the provisions of Section 179 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.

5. Issue notice to Respondents before admission returnable on 20th December 2024. To be listed “**First on Board**”.

[S. M. MODAK, J.]