

Ashwini

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 575 OF 2024

Maha Advertisers Welfare Association ...Petitioner
Versus
Municipal Corporation for Greater Mumbai & ...Respondents
Ors

Mr Karl Tamboly, *with Mutahhar Khan, i/b Moin Chowdhari, for the Petitioner.*
Ms Priyanka Sonawane, *i/b SK Sonawane, for the Respondent-BMC.*
Mrs PH Kantharia, GP, *for the Respondent-State.*
Mr Keshav K Tripathi, J Kapadia, i/b Little & Co, for Respondent No. 4.

CORAM M.S. Sonak &
Kamal Khata, JJ.
DATED: 25th July 2024

PC:-

1. Heard learned Counsel for the parties.
2. The Petitioner is an Advertisers Association which has filed complaint/representation to the MCGM about illegal and unauthorised structure/hoardings detailed in Exhibits “F” and “G” to the Petition.

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3. The MCGM has filed an Affidavit in this matter pointing out that the complaints were acted upon and even notices were issued to the offenders. This position is not disputed by the learned Counsel for the Petitioner. However, he submits that the municipal or other concerned authorities should initiate action against illegal and unauthorised structure and hoardings as and when complaints are made by the Petitioner.

4. Though, no such specific directions can be issued, we observe that it is the duty of the municipal or other concerned authorities to take action against illegal constructions or hoardings. Therefore, when complaints are received by municipal or other concerned authorities, it is their duty to verify the allegations in the complaint and if, indeed, any illegal constructions, structures or hoardings are put up by any parties then, action in terms of law, must be taken expeditiously. With the above observations and considering the fact that action was taken in this matter by municipal or other concerned authorities we dispose of this Petition.

(Kamal Khata, J)

(M.S. Sonak, J)