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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2219 OF 2024

Fariyad Rauf Khan ...Petitioner
Versus
State of Maharashtra and ors. ...Respondents

Mr. Swaraj S. Patil, *a/w Ms. Shweta Marathe i/b. M/s. Jay and Co.,*
for the Petitioner.

Mr. Milind More, Addl.G.P., *a/w Ms. Usha Rahi, AGP, for the*
Respondent-State.

Ms. Meena Dhuri, *for the Respondent-BMC.*

CORAM M.S. Sonak &
Kamal Khata, JJ.

DATED: 11th July 2024

PC:-

1. Heard learned counsel for the parties.
2. Learned counsel for the Petitioner states that Petitioner's representation dated 5th December 2023 (Exhibit "C") is required to be disposed of by the Mumbai Metropolitan Regional Development Authority ("MMRDA"). However, despite the lapse of considerable time, the MMRDA has taken no cognisance of this representation in which the Petitioner has complained about illegal constructions which affected the Petitioner.

3. Accordingly, we direct the MMRDA to dispose of the Petitioner's representation dated 5th December 2023 (Exhibit "C") as expeditiously as possible and in any event within six weeks from the Petitioner supplying an authenticated copy of this order to the MMRDA.

4. If the MMRDA proposes to make any adverse orders against the persons who are alleged to have carried out illegal constructions, the MMRDA should comply with principles of natural justice before any adverse action is taken. To our query as to why the Petitioner has not impleaded the party who have allegedly undertaken illegal constructions, the learned counsel for the Petitioner responds by saying that these illegal constructions are put up by slumlords and the Petitioner is unable to state his name.

5. The MMRDA, if necessary, must visit the site and see whether unauthorised constructions have indeed emerged, and if so, take action in accordance with law on the Petitioner's representation.

6. Learned counsel for the Petitioner states that the Petitioner will, within a week from today, give an authenticated copy of this order along with the representation dated 5th December 2023 so that the MMRDA can immediately initiate the action.

7. With the above directions, we dispose of this Writ Petition.

(Kamal Khata, J)

(M.S. Sonak, J)