

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 14504 OF 2024**

Shantabai Baburao Kanade

... Petitioner

V/s.

The State Of Maharashtra & Ors.

... Respondents

Adv. Nilesh Wable for Petitioner.

Adv. Nisha Mehra, A.G.P for Respondent No.1-State.

Adv. Shivaji Masal a/w Adv. Manasi Pawar for Respondent Nos. 2 and 3.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.****DATE : 10th January 2025.****P.C. :**

1) It is the specific claim of the Petitioner that, Respondent No.14 is working in the Regional Town Planning Office of Respondent No.2-Corporation is instrumental in sanctioning the plan of Respondent Nos. 4 to 16. This fact is admitted by Smt. Mujammil Ajmoddin Mulla, Assistant Director of Town Planning in her Affidavit dated 25th November 2024.

2) By the said plan, the said Respondents are permitted to construct their houses and as per the allegation of the Petitioner without leaving necessary margin as contemplated under the Development Control Rules.

3) In view thereof, we direct the Commissioner of Respondent

No.2, to conduct a detailed inquiry into the said aspect and file his Affidavit to the Petition. This be done within a period of three weeks from today.

4) Stand over to 7th February 2025.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)