

Firoz Khurshed Jamshedji .. Petitioner
Versus
State of Maharashtra & ors .. Respondents
...

Mr.Nitin V. Gangal with Prapti Karkera for the petitioner.
Ms.Neha S. Bhide, G.P with Mr.O.A. Chandurkar, Addl. G.P,
Ms.R.A.Salunkhe, AGP for respondent nos.1 to 5.
Adv. Joshua D'Souza with Chirag Sancheti i/b Bulark Solicitor for
respondent no.7.
Mr.Durgesh Rege with Anvay Homkalas for respondent no.8.

**CORAM : ALOK ARADHE, CJ &
BHARATI DANGRE, J
DATED : 31st JANUARY, 2025**

P.C:-

1 In this PIL, the petitioner inter alia seek a direction
to remove the commercial structure illegally raised by respondent
no.8 inter alia on the following grounds :-

- (i) The structure has been raised by respondent no.8 without obtaining any permission from the competent authority.
- (ii) The structure is situated within a distance of 21 meters from the center of the Highway in contravention of Section 7 and 9 of Maharashtra State Highways Act.

2 The learned counsel for the respondents submit that they have filed affidavit in reply. Learned counsel for the petitioner submits that he does not want to file any rejoinder affidavit. The pleadings are complete.

3 Learned counsel for respondent no.8 submits that on account of the subsequent events, the respondent no.8 is required to file an additional affidavit. Let the same be filed within a period of two weeks. List on 28/2/2025

4 Needless to state that in case the State is required to file any additional affidavit in lieu of the additional affidavit which may be filed on behalf of respondent no.8, the State shall be at liberty to do so within two weeks from the date of receipt of such affidavit which may be filed.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)