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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.175 OF 2010

Vasant B. Soman & Anr. ...Petitioners
vs.
R.K.Wadhwa (Diwan) and Anr. ...Respondents

Mr.Vasant Soman the Petitioner No.1 in person
Mr.Sahil Gandhi i/b M/s.Markand Gandhi & Co. for the
respondent No.1
Mr.D.M.Vyas a/w Mr.D.S.Sabnis for the respondent
No.2
Mr.Atul Damle, Senior Advocate a/w Mr.Sandeep Aole
i/b Vidhi Partner for respondent No.3
Mr.A.M.Kulkarni for respondent No.5
Mr.A.Z.Patel, AGP for respondent No.6.

CORAM : A.S.OKA, &
REVATI MOHITE DERE, JJ.
DATE : JULY 23, 2015

P.C.:

1 We have perused the notice dated 26th June 2015 issued by the Vasai Virar Municipal Corporation under sections 52, 53, 54 and 55 of the Maharashtra Regional and Town Planning Act, 1966. The learned senior counsel for the Municipal Corporation has placed on record the said notice along with the letter dated 18th July 2015 addressed to the Deputy Municipal Commissioner of the said Corporation by authorised signatory of Ludhani and others. It is stated in the said letter that in terms of the notice dated 26th June 2015, necessary remedial action has been taken.

2 The learned counsel for the second respondent assures the Court that the second respondent will remove the offending structure subject matter of the

notice dated 26th June 2015. The photographs are annexed to the compilation tendered by the learned senior counsel for the Municipal Corporation which are supplied by the second respondent. The compilation is taken on record and marked 'A' for identification. The second respondent shall ensure that entire offending construction subject matter of notice is removed within a period of two weeks from today.

3 The designated Officer of the Municipal Corporation shall visit the site immediately on expiry of period of two weeks from today to ascertain whether the offending construction has been removed. After taking inspection, the designated Officer shall file an affidavit to that effect within a period of three weeks from today.

4 The first petitioner appearing in person alleges that several illegal activities are conducted in the premises. If that be so, the first petitioner will have to file an affidavit setting out the details of the illegal activities. We accordingly, permit the first petitioner to file such additional affidavit. He shall serve a copy of the said affidavit to the office of the Government Pleader.

5 Place the PIL on 21st August 2015 in the category 'Fresh Admission'.

(REVATI MOHITE DERE, J.)

(A.S.OKA, J.)