

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1102 OF 2010

THE KARAD MUNICIPAL COUNCIL

Appellant(s)

VERSUS

IQBAL USMAN MEMON & ANR.

Respondent(s)

O R D E R

We have heard learned counsel for the parties.

We do not think that this is a fit case where we shall interfere at this stage i.e. after a lapse of 15-16 years.

We have been informed that the construction had already been completed long back.

We have noticed that there are powers under the Municipal Authorities Act to take steps with regard to any illegal construction being done.

There are

steps also specifically stated to set the clock right.

But

we have failed to understand what are the reasons for not taking steps under the law, although we have been able to

find out that no stay was granted by the Court at any point

Signature Not Verified

of time in the matter.

Digitally signed by

Neeta Sapra

Date: 2015.07.21

16:06:46 IST

Reason:

2

We do not intend to say anything further which is amply clear from the facts of the case and we restrained ourselves to make any comment on the facts of the case which have been put-forth before us.

We do not find any merit in this appeal.

Accordingly, the Criminal Appeal is dismissed. However, the question of law raised is kept open.

..... J.
(PINAKI CHANDRA GHOSE)

..... J.
(R.K. AGRAWAL)

New Delhi;
July 16, 2015.

3

ITEM NO.109

COURT NO.12

SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 1102/2010

THE KARAD MUNICIPAL COUNCIL

Appellant(s)

VERSUS

IQBAL USMAN MEMON & ANR.

Respondent(s)

(with appln. (s) for stay and office report)

Date : 16/07/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Appellant(s) Mr. Makarand D. Adkar, Adv.
Mr. Braj K. Mishra, Adv.
Mr. Vijay Kumar, Adv.
Mr. Vishwajit Singh, AOR

For Respondent(s) Mr. Kunal A. Cheema, Adv.
Mr. N. Katneshwarkar, Adv.

Mr. Shivaji M. Jadhav, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Criminal Appeal is dismissed in terms of the signed order.

(R.NATARAJAN)
Court Master

(SNEH LATA SHARMA)
Court Master

(Signed order is placed on the file)