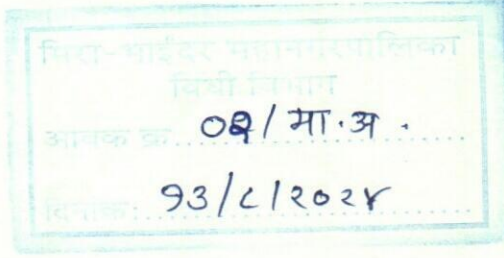


जोडपत्र (अ)

माहितीचा अधिकार अधिनियम, २००५ अन्वये, अर्ज.

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प्रति,

राज्य जन माहिती अधिकारी,

(कार्यालयाचा नाव व पत्ता): विधी विभाग, मिरा भाईदर महानगर पालिका

१. अर्जदाराचे संपूर्ण नांव नंदिनी आघवडे पाटील - ९९५२५३५२५९

२. पत्ता अ-१, हार्मनी सोसायटी, जेसल पार्क भाईदर पूर्व, ठाणे - ४०११०५

३. आवश्यक असलेल्या माहितीचा तपशील

(एक) माहितीचा विषय: ह्या माहितीचा अधिकार अधिनियम, २००५ अन्वये अर्जाच्या सोबत जोडलेल्या दि. १८/०९/२००९ रोजीच्या पत्रा मध्ये स्पे. दिवाणी दावा ८४/२००९ मध्ये मौजे नवघर येथील जुना सर्व्हे क्र. २८६/१२, २८८/९, २८८/१३, २९७/१६, २९७/४, २९७/८, २८८/४ व २९८/१२ च्या संदर्भात प्रतिबंधात्मक आदेश पारित झाल्याबद्दल माहिती दिली होती, त्या अनुशंगाने मिरा भाईदर महानगर पालिकेने केलेल्या कारवाईबद्दल माहिती मिळण्याबाबत.

(दोन) माहितीशी संबंधित कलावधी: २००९ ते २०२४

(तीन) आवश्यक असलेल्या माहितीचे वर्णन:

- १) सदर दि. १८/०९/२००९ रोजीच्या पत्राची, आपल्या कार्यालयातील अधिकाऱ्यांची शिरे अहवाल यासह प्रत देण्यात यावी,
- २) सदर पत्रात नमूद सर्व्हे क्र., हिस्सा क्र. मधील बांधकाम आर्किटेक्ट यांना याबाबत व बांधकामाचे विकासक यांना देण्यात आलेल्या सर्व नोटिसांची प्रत देण्यात यावी,
- ३) सदर पत्रात नमूद सर्व्हे क्र., हिस्सा क्र. मधील बांधकामांचे दि. १८/०९/२००९ पासून आजतागायत सर्व पुढील पाहणी अहवाल यांची प्रत देण्यात यावी.

(चार) माहिती टपालाद्वारे किंवा व्यक्तीशः आवश्यक आहे किंवा कसे

माहिती व्यक्तीशः हवी आहे

(पाच) टपालाद्वारे असेल त्याबाबतीत (सर्वसाधारण, नोंदणीकृत किंवा शीघ्र):

नाही

ठिकाण : मिरा-भाईदर

दिनांक : १२/०८/२०२४

अर्जदाराची स्वाक्षरी

नंदिनी आघवडे पाटील

मो.: ९९५२५३५२५९

Reference No. September/09/33

18/09/2009

To,
MIRA BHAYANDAR MUNICIPAL CORPORATION,
Having its Head office at-
Chhatrapati Shivaji Maharaj Marg,
Bhayandar (W)
Taluka & District Thane

Sub: Special Civil Suit No.84 of 2009, pending in the Court of
Vth Jt. Civil Judge (S.D.), Thane

Sir,

I am concerned for my clients, 1) Mrs. Nandini Anil Adhawade, 2) Smt. Kusum Atmaram Bhoir, 3) Smt. Venu Tukaram Patil, 4) Smt. Janaki Hiraji Mhatre, 5) Smt. Dwarkabai Kashinath Patil, 6) Smt. Manjulabai Pravin Dave, 7) Smt. Nandabai Kamlakar Patil, 8) Shri Ramesh Hiraji Mhatre, on whose behalf I have to address you as under:

- 1) My clients state that my client no.1 has for herself and on behalf of my client nos.2 to 8 has filed above referred suit against one M/s. Swastik Constrictions and others. You are also joined as a Defendant in the said suit particularly Defendant No.6. Said suit is in respect of following properties:

Old survey no.288, new survey no.55, hissa no.4 admeasuring 1110 sq. meters, old survey no.288, new survey no.55, hissa no.9, admeasuring 1570 sq. meters, old survey no.288, new survey no.55, hissa no.13, admeasuring 680 sq. meters, old survey no.298, new survey no.56, hissa no.12, admeasuring 480 sq. meters, old survey no.297, new survey no.57, hissa no.4, admeasuring 1980 sq. meters, old survey no.297, new survey no.57, hissa no.8, admeasuring 1870 sq. meters, old survey no.297, new survey no.57, hissa no.16, admeasuring 990 sq. meters, and old survey no.286, new survey no.85, hissa

and/or any part thereof and/or from handing over the possession of the premises situate in the said building to any other person in any capacity whatsoever and/or for any purposes whatsoever.

3. Defendant nos.1 to 3 their heirs, agents, representatives, servants, employees, executors, assignees and/or any body claiming through or under them be jointly and/or severally restrained from acting upon the suit agreement and/or suit power of attorney and/or from doing any act pursuant to the said documents.
4. All other prayers in the application are rejected.
5. Parties to bear their own costs.

14th September, 2009

(S.M.Koche Saheb)
5th Jt.CJSD, Thane

- 5) My clients state that in spite of the order of the Hon'ble Court the Defendants by using muscle power may/are attempting to continue the work of construction particularly upon old survey no.286, new survey no.85, hissa no.12, Survey No.297 (old) i.e. Survey No.57 (new), Hissa No.4, and Survey No.297 (old), i.e. Survey No.57 (new), Hissa No.3, if they do so and/or if they are allowed to do so then would amount to committing disobedience of the order of the Hon'ble Court since Hon'ble Court has restrained the Defendants from doing further construction work. In the circumstances, it is just and necessary on your part to forthwith issue stop work notice to the Defendants i.e. M/s. Swastik Construction, Shri Sanjay Sakharam Surve, M/s. Seven Eleven Construction Pvt. Ltd., M/s. Riddhi Siddhi Developers and Shri Kuldeep Ostwal. My client has reasons to believe that in furtherance of their ulterior motives said M/s. Swastik Construction, Shri Sanjay Sakharam Surve, M/s. Seven Eleven Construction Pvt. Ltd., and their assignees M/s. Riddhi Siddhi Developers and Shri Kuldeep Ostwal may create third party interest in respect of the premises to be situate in the said new building. Being the Planning and Civic Authority you have to take diligent action otherwise there would be disobedience of the order of the Hon'ble Court.



मिरा भाईंदर महानगरपालिका

जाक्र.मनपा/विधी/मा.अ./०२/२०२४-२५

दि. २८/०८/२०२४

प्रति,

श्रीम. नंदिनी आधावडे

अ/१, हार्मनी सोसायटी, जेसल पार्क, भाईंदर पूर्व,

ठाणे - ४०११०५

विषय :- केंद्र शासनाचा माहिती अधिकार २००५ अन्वये अर्ज.

संदर्भ :- आपला दि. १२/८/२०२४ (प्राप्त दि. १३/८/२०२४) रोजीचा अर्ज.

महोदय,

संदर्भित माहिती अधिकाराच्या अर्जान्वये आपण दि. १८/९/२००९ रोजी अॅड. संजय बोरकर यांनी दिलेल्या पत्राच्या अनुशंगाने केलेल्या कार्यवाहीची माहिती मुद्दा क्र. १ ते ३ नुसार अपेक्षित आहे. तरी आपणास खालीलप्रमाणे मुद्देनिहाय माहिती देत आहे.

मुद्दा क्र. १ :- सदर पत्राच्या अनुशंगाने विधी विभागाने जाक्र.मनपा/विधी/१४२१/२००९-१०, दि. १६/१०/२००९ रोजी नगररचना विभागास पत्र दिले आहे. सदर पत्राची प्रत आपणास उपलब्ध करून देत आहे.

मुद्दा क्र. २ व ३ :- सदर मुद्द्यांतील नमुद माहिती विधी विभागातील अभिलेखी उपलब्ध नाही.

सदरच्या माहितीने आपले समाधान न झाल्यास आपणास श्री. सचिन बांगर, मा. प्रथम अपिलीय अधिकारी तथा उपायुक्त(विधी), चौथा मजला, मुख्य कार्यालय, मिरा भाईंदर महानगरपालिका यांच्याकडे सदरचे पत्र प्राप्त झाल्यापासून ३० दिवसांत प्रथम अपिल दाखल करता येईल.

Keenadke

सई वडके

विधी अधिकारी तथा जनमाहिती अधिकारी

विधी विभाग

मिरा भाईंदर महानगरपालिका

प्रति/-१ :- मा. जनमाहिती अधिकारी, नगररचना विभाग

(सदर अर्जातील मुद्दा क्र. २ व ३ ची माहिती आपल्या विभागाशी संबंधित असल्याने सदरचा अर्ज आपल्या विभागास वर्ग करण्यात येत आहे. तरी अर्जदार यांना मुद्दा क्र. २ व ३ ची माहिती परस्पर आपल्या विभागामार्फत उपलब्ध करून देण्यात यावी, हि विनंती.)

Received

Adm

02/09/2024

Details

Computer No :	2734171	Receipt No :	2734171(1)/2024/MBMC-LAW DEPARTMENT
Subject :	Nandini Adhawade RTI Application - August -2024	File No :	
From :	Saee vadke	Designation :	Law Officer
Main Category :	Court Cases	Sub Category :	
Address :	mbmc hq	Letter Ref. No :	
Letter Date :		Sender Type :	
Delivery Mode :	By Hand	Enclosure/Remarks :	

Movement History

Send By	Sent On	Sent To	Action Remarks	Movement Type
Saee Hemant Vadke, MBMC-LAW DEPARTMENT	02/09/2024 04:49 PM	Sujit Bapurao Pansare, MBMC-TOWN PLANNING		

Details

Computer No :	2734171	Receipt No :	2734171/2024/MBMC-LAW DEPARTMENT
Subject :	Nandini Adhawade RTI Application - August -2024	File No :	
From :	Saee vadke	Designation :	Law Officer
Main Category :	Court Cases	Sub Category :	
Address :	mbmc hq	Letter Ref. No :	
Letter Date :		Sender Type :	
Delivery Mode :	By Hand	Enclosure/Remarks :	

Movement History

Send By	Sent On	Sent To	Action Remarks	Movement Type
Saee Hemant Vadke, MBMC-LAW DEPARTMENT	02/09/2024 04:49 PM	Purushottam Manoharrao Shinde, MBMC-TOWN PLANNING		

no.12, admeasuring 860 sq. meters, lying, being and situate at Village Bhayandar, Taluka and District Thane.

- 2) My clients state that my clients have 60% undivided share in the above properties and with such contention have sought various reliefs including cancellation and/or revocation of purported approvals granted by you pertaining to some portion of the suit properties particularly old survey no.286, new survey no.85, hissa no.12, Survey No.297 (old) i.e. Survey No.57 (new), Hissa No.4, and Survey No.297 (old), i.e. Survey No.57 (new), Hissa No.8. Following approvals and permissions given by you are challenged:
- i) Letter Outward no.MB/NMP/NR/4116/06-07 dated 13/03/2007, inter-alia, giving NOC for obtaining NA Permission.
 - ii) Letter bearing Outward. no.NB/NMP/NR/2257/07-08 dated 08/10/2007, inter-alia, giving commencement certificate for construction of new building upon the suit property no.1.
 - iii) Letter bearing outward no.NP/NMP/NR/1342/2008-09 dated 01/07/2008, inter-alia, granting commencement certificate along with approval to the attached plans.
- 3) My clients state that you have appeared in the said suit through your Advocate Mrs. Sujata Kamble and also filed your written statement.
- 4) My clients state that in the said suit Exh.5 i.e. application for Temporary Injunction has been heard and decided on merits and Hon'ble Court was pleased to pass the following operative order:

OPERATIVE ORDER

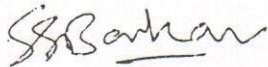
1. Application Exh.5 is partly allowed.
2. Defendant Nos.1 to 3, 9 and 10 their agents, servants or any other person acting on their behalf are hereby restrained from carrying out any construction upon the suit property or creating any third party interest of any nature of any person thereupon and/or any part thereof and/or from creating third party interest upon the building being constructed upon the suit property no.1

6) In the circumstances, my clients have instructed me to inform you/ call upon you as under:

- a. To immediately issue stop work notice to M/s. Swastik Construction, Shri Sanjay Sakharam Surve, M/s. Seven Eleven Construction Pvt. Ltd., and their assignees M/s. Riddhi Siddhi Developers and Shri Kuldeep Ostwal in respect of the said construction being carried out on some of the portion of the said property and not to allow them to carry out any further construction.
- b. To take note of the said pending suit and of the order of the Hon'ble Court.

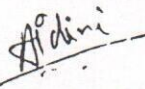
7) I hope you will take immediate action in the matter and will honour the above stated request/requisitions of my clients.

Yours faithfully,



Shri. Sanjay Shriram Borkar
Advocate

The Contents of this notice are as per my instructions and information.



Mrs. Nandini Anil Adhwade