

**BEFORE THE NATIONAL GREEN TRIBUNAL WZ BENCH,
AT PUNE
ORIGINAL APPLICATION NO.43/2023(WZ)**

SagarKantilalDevreApplicant

Versus

State of Maharashtra &Ors.Respondent

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO.2 -
MCGM IS AS UNDER:**

I, Sachin B. Shinde, Age: 42 years, Occupation - Service; working as AssistantEngineer (Development Plan) NST, of Municipal Corporation of Greater Mumbai, the authorized signatory for MCGM; do state on solemn affirmation as under :



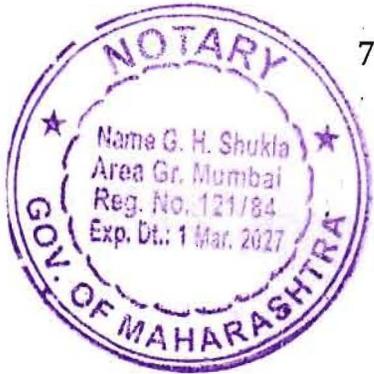
1. I say that, I have perused the copy of the application and compilation filed by the applicant and I have also perused the office records. I have made myself conversant with the facts of the case and am able to depose on behalf of the Respondent No.12. I am filing this affidavit in reply thereto.
2. At the outset, I deny each and every contention, averment, submission which is contrary to what is stated herein below and the averments, contentions, submissions which are not specifically denied shall not be deemed to be admitted by reason of non-traverse.
3. I say that, as per Sanctioned DP-2034; the land bearing CTS No. 1320C/1 & 1320 C/2 of village Mulund (E), Taluka -Kurla, District- Mumbai; is affected by reservations of RE 1.1(Municipal School)(Part of Larger Reservation), ROS 1.4(Playground)(Part of Larger Reservation), RPU 3.2 (Police Chowky), RO 1.3(Municipal Office) and ROS 2.5(Sports Complex /Stadium) & RPU 2.1(Fuel Station) and is affected by existing amenity of EOS 2.6(Recreation Ground)(Part Of Larger Existing Amenity) & EPU 1.1(Fire Station/Command Centre). It is affected by 7meter Wide (2 nos.), 12.20



meterwide DP roads & existing road and is affected by Nalla.

The said land is situated in Residential Zone.

4. I say that, the land under reference was affected by Excluded Part EP-T40, EP-T78 & EP-T83; which are sanctioned by the State Govt. Vide Notifications dt. 12/04/2021 & 12/09/2022. Hereto annexed and marked as **Exhibit 'A'** is the copy of Notifications.
5. I say that; as per Property Register Card the ownership of the said land bearing CTS no. 1320C/1 & 1320C/2 of Village Mulund (E) is in the name of State Govt of Maharashtra, with Tenure 'G' and part areas of the said land are allotted to Sadguru CHS Ltd. and The All India Institute of Local Self Government. Hereto annexed and marked as **Exhibit 'B'** is the copy of Property Card.
6. I say that; the Additional Collector(Encroachment Removal)Eastern Suburb; had organised a joint site visit on 08/06/2023 alongwith City Survey Officer, Mulund, Tahsildar and this office staff of the present Respondent, as per the order of this Hon'ble Tribunal dated 25/04/2023.
7. I say that, accordingly, Additional Collector (Encroachment Removal)ES submitted their report vide letter dt.12/06/2023



to Collector, MSD, wherein Additional Collector had directed to Dy. Collector(Encroachment Removal) for removal of unauthorised structures on the said plot. Hereto annexed and marked as **Exhibit 'C'** is the copy of Additional Collector (Encroachment Removal)ES's report.

8. It is to mention here that, the land under reference having various reservations for public purposes; however the said land is not yet handed over to present Respondent i.e. Brihanmumbai Municipal Corporation (BMC); hence taking action on illegal structures, on the said land, if any, is in the purview of State Govt. of Maharashtra.

9. I say that; Resident Dy. Collector, Mumbai Suburb vide order no. सी/कार्या-रए/टे-२/कावि-३०८/२०२३/२१४५४ दि. १३/०९/२०२३ has accorded approval for handing over land bearing CTS no. 1320/C/1(pt) of village Mulund (E) affected by existing amenity of EOS 2.6(Recreation Ground)(Part Of Larger Existing Amenity), Govt. land, adm. 6640.00 sq.mt. to BMC free of cost, subject to submission of Undertaking / Conditions and has instructed City Survey Officer, Mulund to carryout joint measurement and to hand over land under



reference to BMC. Hereto annexed and marked as Exhibit 'D' is the copy of above cited order.

10. I say that; this office vide letter u/no. ChE/14806/DPES/T dt. 04/10/2023 has requested City Survey Officer, Mulund to carryout Joint measurement and to hand over land bearing CTS no. 1320/C/1(pt) of village Mulund (E) affected by existing amenity of EOS 2.6(Recreation Ground)(Part Of Larger Existing Amenity) adm. 6640.00 sq.mt. to BMC. Hereto annexed and marked as Exhibit 'E' is the copy of above cited letter.

11. The Respondent submits that the present respondent will abide by any directions of this Hon'ble Tribunal.

12. This Respondent craves leave to add, alter or amend the aforesaid averments as and when necessary.

Mumbai

6th Oct 2023.



[Signature]
Respondent No. 2

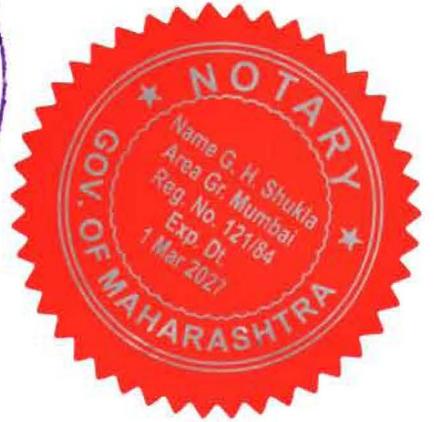
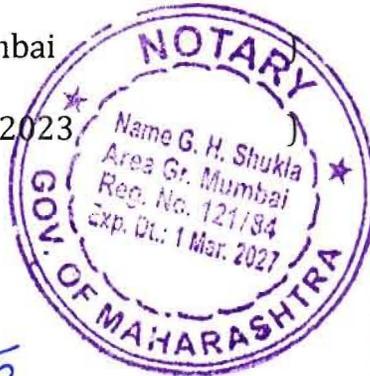
[Signature]
6/10/23
Adv for Respondent No 2
prepared by Mr. Shetye & Co.

VERIFICATION

I, Sachin B. Shinde, Age: 42 years, Occupation – Service; working as Assistant Engineer (Development Plan)NST, of Municipal Corporation of Greater Mumbai (MCGM); do hereby take oath and state on solemn affirmation that what has been stated in the forgoing paragraphs is true to the best of my knowledge and I believe the same to be true.

Solemnly Affirmed at Mumbai

Dated this 06th Day of Oct, 2023



Handwritten signature and date: 6/10/23

I know and identify the Deponent

Done and signed by Mr. Shejari AD

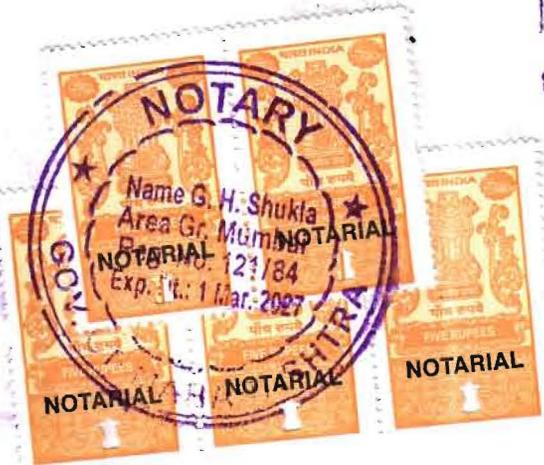
BEFORE ME

Handwritten signature of the deponent

Deponent

G. H. SHUKLA,
NOTARY GREATER MUMBAI
Jagdamba Bhavan, Ground Floor
Sanpatrao Kadam Marg, Lower Panel
MUMBAI 400 013

6 OCT 2023



NOTED & REGISTERED
Sr. No. 54480/99/2023
Dated 6 OCT 2023

BEFORE THE NATIONAL GREEN TRIBUNAL WZ BENCH,

AT PUNE

ORIGINAL APPLICATION NO. 43/2023(WZ)

Sagar Kantilal Devre

....Applicant

Versus

State of Maharashtra &Ors.

....Respondent

LIST OF DOCUMENTS

Sr. No.	Particulars	Page No.
1.	<u>Exhibit A</u> Copy the copy of Notifications.	
2.	<u>Exhibit B</u> Copy of Property Card.	
3.	<u>Exhibit - C</u> Copy of Additional Collector (Encroachment Removal) ES's report.	
4.	<u>Exhibit D</u> Copy of Resident Dy. Collector, Mumbai Suburb.	
5.	<u>Exhibit E</u> Copy of letter u/no. ChE/14806/DPES/T dt. 04/10/2023	
	<u>Last Page</u>	

6th Oct 2023.
Mumbai

Adv for Respondent 2




MUNICIPAL CORPORATION OF GREATER MUMBAI

Ch.E./DP34202105111321959 D.P. Rev. dt. Refer Inward Number: T/2021/111321965 Payment Dated 14/05/2021

Office of the Chief Engineer (Development Plan)
Municipal Head Office, 5th Floor,
Annex Building, Fort,
Mumbai - 400 001

To,

Mr./Mrs. SAROJ. HARISH WAGHADE
Dadar west

Sub: Development Plan 2034 remarks in respect to Land Bearing C.T.S. No(s) 1320C/2 of MULUND-E Village situated in T Ward, Mumbai.

Ref: Application u/no. T/2021/111321965 Payment Challan No. DP34202105111321959 Dated 14/05/2021 certifying payment of charges made under Receipt no. 18200056156 Dated 14/05/2021

Gentleman/Madam,

With reference to above, Development Plan 2034 remarks sanctioned by GoM in respect of subject land boundaries, shown in blue color boundary on the accompanied plan, are as follows.

Description	Nomenclature	Remarks
CTS No.	1320C/2	
Village	MULUND-E	
Development Plan 2034 referred to Ward	T	
Zone [as shown on plan]	Residential(R)	
Zone [Excluded Portion]	EP NO. EP-T83 EP NO. EP-T83	Affected Area - 1320C/2 :362.476 sqm Affected Area - 1320C/2 :703.815 sqm
For description of Excluded Portion/Sanctioned Modification, please refer to the published plan on MCGM portal.		
Sanctioned Roads affecting the Land [as shown on plan]	Existing Road	Present
	Proposed Road	NIL
	Proposed Road Widening	NIL
Sanctioned Excluded Portion:		
EP-T83 Sanctioned as proposed. Sanctioned vide UDD Notification u/no. TPB-4321/CR-20/2021/UD-11 dtd. 12.04.2021 and published in Maharashtra Government Gazette on 16.04.2021.		
EP-T83 Sanctioned as proposed. Sanctioned vide UDD Notification u/no. TPB-4321/CR-20/2021/UD-11 dtd. 12.04.2021 and published in Maharashtra Government Gazette on 16.04.2021.		
EP-T83 Sanctioned as proposed. Sanctioned vide UDD Notification u/no. TPB-4321/CR-20/2021/UD-11 dtd. 12.04.2021 and published in Maharashtra Government Gazette on 16.04.2021.		
EP-T83 Sanctioned as proposed. Sanctioned vide UDD Notification u/no. TPB-4321/CR-20/2021/UD-11 dtd. 12.04.2021 and published in Maharashtra Government Gazette on 16.04.2021.		
Reservation affecting the Land [as shown on plan]		

This is electronically generated report. Hence personal signature is not required.

CHE/DP34202105111321959/DP/T



Reservation abutting the Land [as shown on plan]	RPU3.2(Police Chowky)	
Reservation abutting the Land [Excluded Portion]	EP NO: EP-T78	Plots - 1320C/2
For description of Excluded Portion/Sanctioned Modification, please refer to the published plan on MCGM portal.		
Existing amenities affecting the Land [as shown on plan]	NO	
Existing amenities abutting the Land [as shown on plan]	NO	
NALLA NALLA BUFFER	EP NO: EP-T83 EP NO: EP-T83	Affected Area - 1320C/2 :705.262 sqm Affected Area - 1320C/2 :1060.120 sqm
For description of Excluded Portion/Sanctioned Modification, please refer to the published plan on MCGM portal.		
Whether a listed Heritage building/ site:	Yes / No	
Whether situated in a Heritage Precinct:	Yes / No	
Whether situated in the buffer zone/Vista of a listed heritage site:	Yes / No	
Whether a listed archaeological site (ASI):	Yes / No	
Whether situated in the buffer zone/Vista of a listed archaeological site (ASI):	Yes / No	
Buffer line of highway	As the land under reference falls within 45 meters of EASTERN EXPRESS HIGHWAY - BUFFER and EASTERN EXPRESS HIGHWAY, specific remarks shall be obtained from the concerned Authority.	
Note: The remarks are offered based on the records of CS/CTS boundaries/CS/CTS Nos available with this office. However the boundaries shown in the records of City Survey Office shall supersede those shown on the DP Remarks Plan.		
Demarcation: The Alignment of the proposed road/R.L. and boundaries of reservations and their area are subject to the actual demarcation on site by E.E.T&C./A.E.(Survey) as case may be.		
Remarks are offered only from the zoning point of view without reference to ownership and without carrying out actual site inspection and without verification of the status of the structures if any on the land under reference. Status of the existing road, if any, shall be confirmed from the concerned Ward Office.		
The DP Remarks and Plan shall be read with notification no. TPB.4317/629/CR-118/2017/UD-11 dt. 8.11.2017, TPB.4317/778/CR-267/2017/UD-11 dt. 7.2.2018, TPB.4317/629/CR-118/2017/DP/UD-11 dt 8.5.2018 & TPB.4317/629/CR-118/2017/EP/UD-11 dt.8.5.2018 before granting any development permission on the land/s. Please Refer to State Government Notifications/Plans for details of Sanctioned EP. For Sanctioned Modification & Excluded Portion, the link for the notification is as under:-		
Notifications: MCGM Home Page (portal.mcgm.gov.in)> Ward & Departments> Chief Engineer - Development Plan>Docs> Sanctioned DP2034		
Plans: EP Sheets:- MCGM Home Page (portal.mcgm.gov.in)> Ward & Departments> Chief Engineer - Development Plan>Docs> Sanctioned DP2034> Development Plan 2034 (Excluded Part) EP Sheets, 8th May 2018 - For Suggestions / objections by Government SM Sheets:- MCGM Home Page (portal.mcgm.gov.in)> Ward & Departments> Chief Engineer - Development Plan>Docs> Sanctioned DP2034> Development Plan 2034(sanctioned part) SM sheets, 8th May 2018		

Additional Information

Water pipeline Remark:

Water pipeline near the plot (5.79 meters far) has 3000 mm pipe diameter.

Drainage Remark:

Drain Manhole near the plot (Node ID 2186202902, 0.00 meters far) has invert level 25.85 meters with reference to Town Hall Datum (THD).

Ground level:

The plot has minimum 27.00 meters and maximum 80.00 meters ground level with reference to Town Hall Datum (THD)



Remarks for the land under reference are as given below:

TRAFFIC REMARKS (Traffic):

As Traffic department is concerned, there is no proposed or sanctioned Regular Line/Road Line at present along the plot C.T.S. No.(s) 1320C/2 MULUND-E in T ward of M.C.G.M. as shown bounded blue on accompanying plan.

REGULAR LINE REMARKS (Survey):

As Survey department is concerned, there is no proposed or sanctioned Regular Line/Road Line at present along the plot C.T.S. No.(s) 1320C/2 village MULUND-E in T ward of M.C.G.M. as shown bounded blue on accompanying plan.

These remarks are issued without site inspection, without prejudice to the ownership, status of structure, plot boundaries and same will supersede earlier remarks issued if any. These remarks are subject to changes/revision of sanctioned Regular line and shall be valid for One year from date of its issue. The earlier R.L. Remarks issued by this office if any shall be treated as canceled.

This remarks are offered subject to actual joint demarcation with A.E survey on site. This remarks should be verified by corresponding Asst. Engineer (Survey) T Ward. You may approach to that office for actual demarcation of sanctioned Regular Line on site.

It may please be noted that this remarks are offered as per the plot boundaries shown by Architect/Owner on plan and the plot boundaries shall be verified and confirmed on site through the competent authority.

This permission shall not be used as a tool for evicting the existing tenants/occupants if any. This permission is granted based on documents submitted by the architect and if any are found fake/fraud the permission issued shall be revoked/canceled.

The alignment of RL shown on Plan is indicative. For detail planning of proposal actual demarcation from Assistant Engineer (Survey) shall be obtained.

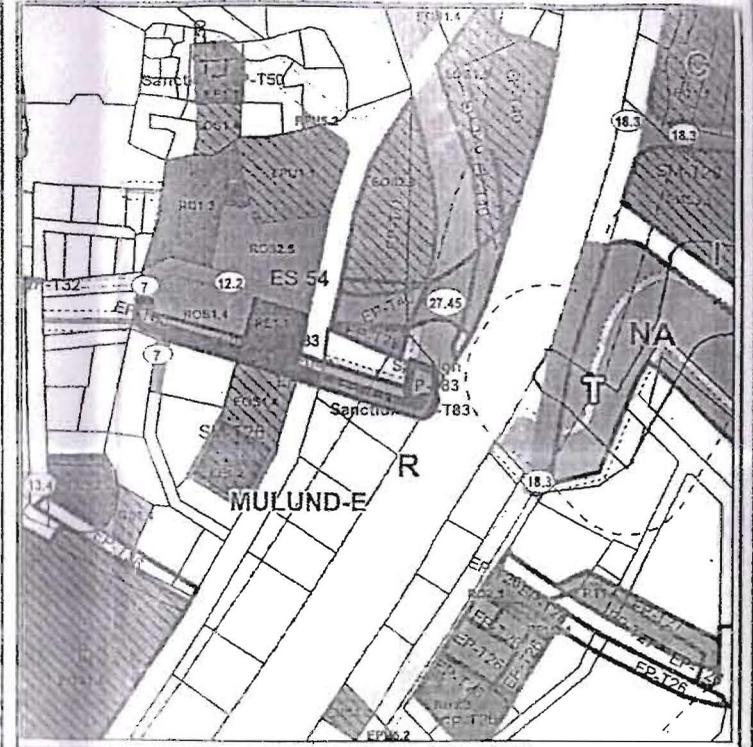
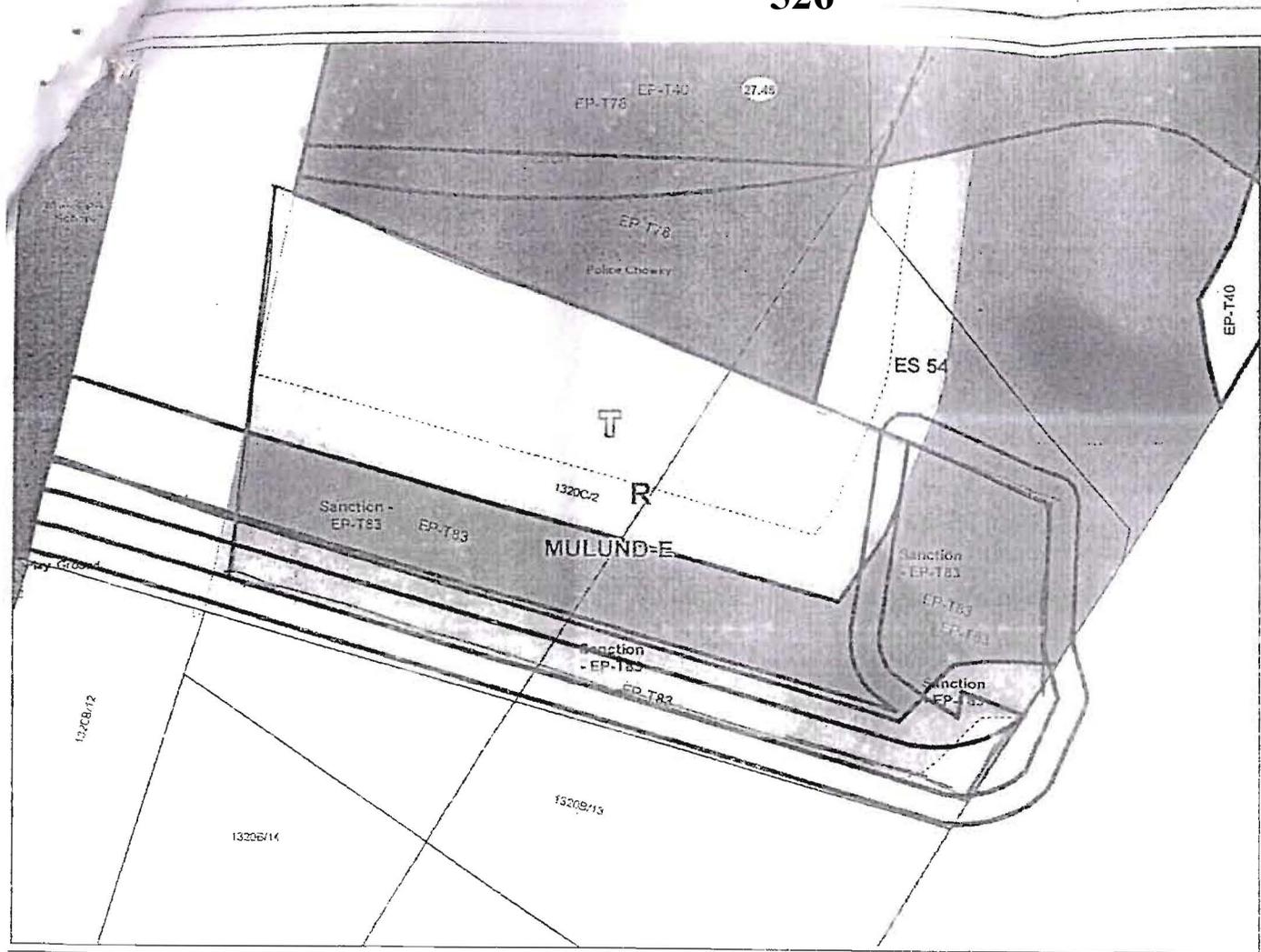
Natural Water Course:

The land under reference is under influence zone of waterbody hence specific remark from the concerned Authority should be obtained separately before taking up any development on the land

Acc: As Plan

Note: The above information is as per the data received from concerned MCGM Departments.





LOCATION PLAN

Scale 1:4000

Note:

DIP Remarks have been offered only from Zoning point of view without any reference to the existing and status of the structures on the land under reference etc. This plan is to be read with letter under

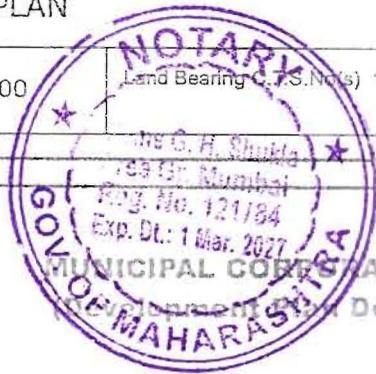
CHE/DP3420210511321959/DPIES/T

This is an electronically generated document. Hence, No signature required. Assistant Engineer (D.P.), T Ward, Dated: 14/05/2021

BLOCK PLAN

Scale 1:500

Land Bearing (C.S. Notis) 1320C/2 of MULUND-E Village in T Ward



MUNICIPAL CORPORATION OF GREATER MUMBAI
(Department)

Development Plan 2034

Office of the Chief Engineer (Development Plan),

1st Floor, 1st Building,

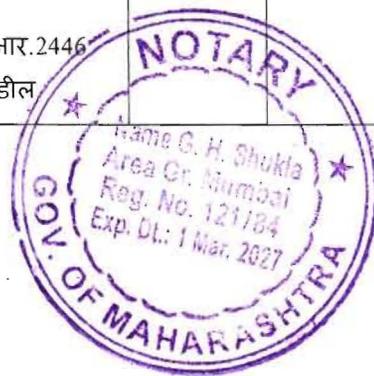
Municipal Engineering Office,

100, P. No. MI(M)100, 401

गाव/विभाग: मुलुंड (पूर्व)

नगर भुमापन क्रमांक	शिट नंबर	प्लॉट नंबर	क्षेत्र चौ.मी.	धारणाधिकार	शासनाला दिलेल्या आकारणाचा किंवा भाड्याचा तपशील आणि त्याच्या फेरतपासणीची नियत वेळ
1320क/1	-	-	36445.7 -3118.7 ----- 33327.0	ग	-

दिनांक	व्यवहार	खंड क्रमांक	नविन धारक (धा) पट्टेदार (प) किंवा भार (भा)	साक्षांकन
22/4/2010	मा.जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचेकडील क्षेत्रदुरुस्ती आदेश क्र.सी/कार्या 2क/क्षे.दु./एस.आर.2446 दि.15/4/10 अन्वये व इकडील अ.ता.क्षे.दु./मो.र.नं.99/10 नुसार व बृहन्मुंबई महानगरपालिका टी वार्ड अभिन्यास सी.स.नं.1320अ यांचेकडील मंजूर रेखांकन क्र.CE 47/147/BS-II/GOV/Dated 4/8/2007 प्रमाणे न.भू.क्र.1320क क्षेत्र 36445.7 चौ.मी.क्षेत्राची स्वतंत्र मिळकतपत्रिका उघडली. व धारक सदरी महाराष्ट्र शासनाची नोंद केली. व सत्ताप्रकार ग दाखल केला.	--	महाराष्ट्र शासन धारक	फेरफार क्रं. 623 /-सही 22/04/2010 न.भू.अ.मुलुंड
22/4/2010	शासन महसूल व वनविभागाकडील जापनक्र.जमीन/2605/प्र.क्र.2371/ज-3/दि.31/8/2009 व मा.जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचेकडील आदेश क्र.24/कार्या 3अ/एफ 290/दि.8/1/2010 व क्षेत्रदुरुस्ती आदेश क्र.सी/कार्या2क/क्षे.दु./एस.आर.2446 दि.15/4/10 अन्वये व इकडील	-	श्री.सदगुरु को.ऑ.हौ.सो.लि. (क्षेत्र 3118.7 चौ.मी.) धारक महाराष्ट्र शासन भोगवटदार-वर्ग 2	फेरफार क्रं. 625 /-सही 22/04/2010 न.भू.अ.मुलुंड



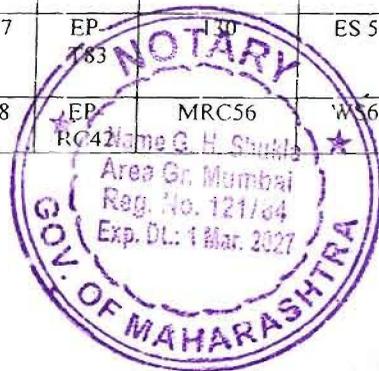
	अ.ता.क्षे.दु.मो.र.नं.99/10 नुसार न.भू.क्र.1320क मधील 3118.7चौ.मी.क्षेत्र श्री सदगुरु को.ऑ.हौ.सो.लि.यांना प्रदान केलेने भोगवटादार वर्ग-2 म्हणून नाव दाखल केले. व धारक सदरी महाराष्ट्र शासनाची नोंद केली.			
5/8/2011	मा.जिल्हाधिकारी मुंबई उपनगर जिल्हा यांचेकडील पोटविभाजन आदेश क्रमांक सी/कार्या- 2डी/पो.वि./एस.आर.के.1418 दि.28/6/2011 व इकडील अ.ता.मो.र.नं.656/11 नुसार मुलुंड (पूर्व) न.भू.क्र.1320क या मिळकती चे 36445.7 चौ.मी. क्षेत्रा मध्ये पोटविभाजन केले व पोट विभाजनाचे 3118.7 चौ.मी. क्षेत्र वजा केले. सदर क्षेत्राची न.भू.क्र.1320क/2 ची स्वतंत्र मिळकत पत्रिका उघडली. व मूळ न.भू.क्र.1320क प्रमाणे सत्ताप्रकार 'ग' दाखल केला. व मूळ न.भू.क्र.1320क यास 1320क/1 असा शेज दिला. तसेच न.भू.क्र.1320क वरील दि.22/4/2010 ची महाराष्ट्र शासन भोगवटादार वर्ग-2 ची नोंद पोटविभाजन न.भू.क्र.1320क/2 या मिळकतीस दाखल करून न.भू.क्र.1320क वरील सदरची नोंद कमी केली. व न.भू.क्र.1320क/1 चे 33327.0 चौ.मी. क्षेत्र कायम केले.			फेरफार क्रं. 709 /-सही 05/08/2011 न.भू.अ.मुलुंड
21/4/2012	शासन जापन क्रमांक एल. आर. एन 2608/ 879 प्र.क-76 /ज.3 दि.26/8/2011 व मा. जिल्हाधिकारी मुंबई उपनगर जिल्हा यांचेकडील आदेश क्रमांक सी /कार्या -2 /2अ		भोगवटादार वर्ग 2 ऑल इंडिया इन्स्टीटयुट ऑफ लोकल सेल्फ गव्हर्नमेंट	फेरफार क्रं. 743 /-सही 21/04/2012 न.भू.अ.मुलुंड



	जमीन /का.वि.406 /2011 दि.29/12/2011 नुसार नाव दाखल केले.		क्षेत्र 2569.68 चौ.मी	
15/12/2015	- मा.जमाबंदी आयुक्त आणि संचालक भूमि अभिलेख (म.राज्य) पुणे यांचेकडील परिपत्रक क्र.ना.भू.1/मि.प/अक्षरी नोंद / 2015,पुणे दिनांक16/2/2015अन्वये मा.जिल्हाधिकरी मुंबई उपनगर यांचे आदेशान्वये उपरोक्त दि.5/8/2011 चे नोंदीने मिळकत पत्रिकेवर दाखल असलेले अंकी क्षेत्र अक्षरी तेहतीस हजार तीनशे सत्तावीस पुर्णांक शुन्य दशांश चौ.मी., दाखल केले.			फेरफार क्रं. 941 /-सही 15/12/2015 न.भू.अ.मुलुंड



Sr. No.	Excluded Pari No. (EP).	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under section 30 of the MR & TP Act, 1966.	Substantial Modification Published by Government Under Section 31 of M.R.&T.P Act. 1966.	Substantial Modification sanctioned by Government Under Section 31 of M.R.&T.P Act. 1966.
1	2	3	4	5	6	7	8
							1515/2014 dated 20/02/2018 is deleted from RE 2.1 (Higher Education) and area so deleted is included in adjoining predominant zone.
44	EP-S153		ES37	R Zone	R Zone	Reservation of RSA1.1 (Municipal Market with vending zone) is proposed to be shown as per SRDP 1991 on plot bearing CTS no. 10 (pt), 11 (pt), 12/3 (pt) of Village Powai as shown on plan.	Refused to accord sanction. The proposal under Section 26 is retained.
45	EP-S154		ES37	R Zone	R Zone	Reservation of RSA1.1 (Municipal Market with vending zone) is proposed to be shown as per SRDP 1991 on plot bearing CTS no. 7/1 of Village Kopri as shown on plan.	Refused to accord sanction. The proposal under Section 26 is retained.
46	EP-T57	MT69	ES 54 & ES 50	DOS2.6 (Recreation Ground)	Part DOS 2.6(Recreation Ground) designation on slum rehabilitation layout on CTS No 1124 is deleted & boundary of DOS2.6 is corrected.	Modification u/s 30 is proposed to be sanctioned.	Sanctioned as proposed.
47	EP-130 T63		ES 54	Nalla	Nallah position is corrected as per layout	Modification u/s 30 is proposed to be sanctioned.	Sanctioned as proposed.
48	EP-RC42 Name G. H. Shinde	MRC56	WS63	1) RHI.2 (Hospital)	The reservation of RHI.2 (hospital) is shifted on east	Modification u/s 30 is proposed to be	Sanctioned as proposed.



महाराष्ट्र शासन राजपत्र असाधारण भाग एक-कोकण विभागीय पुरवणी, पृष्ठित १६, २०२१/चैत्र २६, शके १९४३

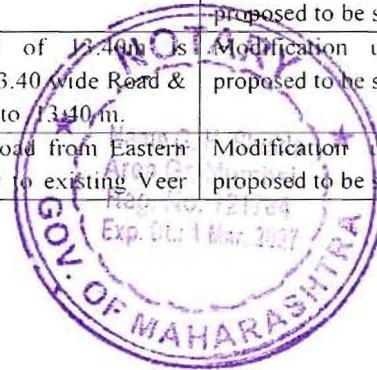
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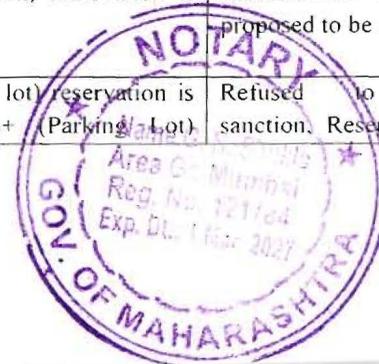
35

Sr. No.	Excluded Part No. (EP)	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under Section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under Section 30 of the MR & TP Act, 1966	Substantial Modification published by Government under Section 31 of the MR & TP Act, 1966	Substantial Modification sanctioned by Government under Section 31 of the MR & TP Act, 1966
1	2	3	4	5	6	7	8
30.	EP-T33	MT37	ES 54	DSA4.1 (Hindu Traditional / Electric Cemetery)	Shape of designated cemetery DSA4.1 (Hindu traditional cemetery) is restored.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
31.	EP-T34	MT38	ES 58	18.30m Proposed DP Road	Proposed 18.30 mt wide road is deleted and 9.15 mts DP road is restored as per Sectioned Revised Development Plan 1991.	Modification u/s 30 is proposed to be sanction.	Refused to accord sanction. The proposal as per Section 26 is reinstated.
32.	EP-T35	MT39	ES 49	Existing Road	Existing road shown in CTS No. 678 is deleted	Modification u/s 30 is proposed to be sanction.	Refused to accord sanction. The proposal as per Section 26 is reinstated.
33.	EP-T36	MT40	ES 54	Existing Road	Alignment of existing 13.40 Mt. wide road is shown as per site condition.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
34.	EP-T37	MT42	ES 54	15.25m Proposed DP Road, Existing road	New proposed 15.25mt. DP Road through CTS no. 1389, 1391, 1391/1. is deleted & that portion added in ROS 1.4 (Play ground)/DOS 1.4(Play ground) and The existing road is deleted upto the school.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed with following changes:- i. The 15.25mt. DP Road is retained as per section 26. ii. The deleted portion of existing road under this EP is included in the adjacent reservation.
35.	EP-T38	MT44	ES 50	Existing road	Existing road is deleted.	Modification u/s 30 is proposed to be sanction.	This EP is canceled (as said land is also shown in EP T07.)
36.	EP-T39	MT45	ES 54	18.30m Proposed DP Road	The existing road of 13.40m is extended up to the 13.40 wide Road & the width is reduced to 13.40 m.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
37.	EP-T40	MT46	ES 54	27.45m Proposed DP Road, DOS 1.5	The 27.45 mts DP road from Eastern Expressway highway to existing Veer	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.

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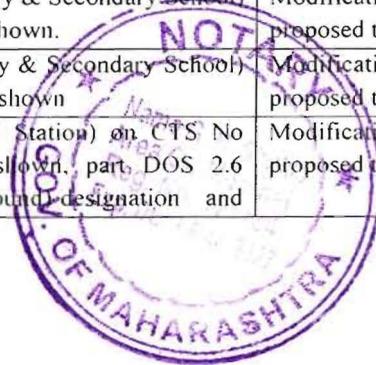
Sr. No.	Excluded Part No. (EP)	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under Section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under Section 30 of the MR & TP Act, 1966	Substantial Modification published by Government under Section 31 of the MR & TP Act, 1966	Substantial Modification sanctioned by Government under Section 31 of the MR & TP Act, 1966
1	2	3	4	5	6	7	8
				(Garden/Park)	Savarkar road is deleted and 18.30 mts DP road adjacent to Nalla is shown through bearing CTS No.115 of village Mulund - East.		
38.	EP-T41	MT47	ES 50	Existing Road	Existing road shown through the Slum Rehabilitation scheme plot is deleted.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
39.	EP-T42	MT48	ES 54	9.15m Proposed DP Road	proposed 9.15m wide road is deleted.	Modification u/s 30 is proposed to be sanction.	Refused to accord sanction. The proposal as per Section 26 is reinstated.
40.	EP-T43	MT49	ES 58	Existing Road	Existing road shown in municipal staff Colony open space is deleted.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
41.	EP-T44	MT50	ES 50, ES 54	Existing Road	9.15M road widening is shown as per Sectioned Revised Development Plan 1991.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
42.	EP-T45	MT51	ES 58	18.30m Proposed DP Roads, RMS 3.1 (Solid waste management facilities)	Proposed 2 nos.of 18.30m roads are deleted and RMS 3.1 (Solid waste management facilities) Reservation is relocated abutting to LBS Road & that portion is merged with ROS 1.5 reservation.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed with following changes:- Two nos. of 18.30m wide DP roads as proposed under Section 26 are retained.
43.	EP-T46	MT52	ES 54	C Zone	Existing road is shown as per site condition.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
44.	EP-T47	MT55	ES 54	ROS1.5 (Garden/Park)	ROS1.5 (Garden/Park) reservation is deleted.	Modification u/s 30 is proposed to be sanction.	Refused to accord sanction. The proposal as per Section 26 is reinstated.
45.	EP-T48	MT57	ES 53, ES 54	DT1.6(PT)+ (Parking Lot)	DT 1.6+ (parking lot) reservation is changed to RT1.6+ (Parking Lot)	Refused to accord sanction. Reservation u/s	Sanctioned as proposed with the condition to handover the Parking



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Sr. No.	Excluded Part No. (EP)	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under Section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under Section 30 of the MR & TP Act, 1966	Substantial Modification published by Government under Section 31 of the MR & TP Act, 1966	Substantial Modification sanctioned by Government under Section 31 of the MR & TP Act, 1966
1	2	3	4	5	6	7	8
58.	EP-T71	MT85	ES 54	DE1.2 (Primary & Secondary School)	DE 1.2 (Primary & Secondary School) is deleted and ROS1.4 (Playground) Reservation is shown.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
59.	EP-T72	MT86	ES 53	DE1.2 (Primary & Secondary School), DOS1.4 (Play Ground)	DE 1.2 (primary & Secondary School) designation shape is changed and ROS 1.4 (playground) reservation shown on remaining portion.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
60.	EP-T73	MT87	ES 53	R Zone, DAM (Designated Amenity Plot)	Industrial-zone is shown on plot and DAM (Designated Amenity Plot) is deleted and shown as RAM (Reserved Amenity Plot).	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
61.	EP-T74	MT88	ES 57	RSA2.1 (Multipurpose Community Centre) RSA3.3 (Cultural Centre/Drama Theatre/ Theatre)	RSA2.1 (Rehabilitation & Resettlement) reservation is deleted & RR2.2 (Affordable Housing) is shown. RSA2.1 (Rehabilitation & Resettlement) reservation is added with reservation of RSA3.3 on CTS no. 32.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
62.	EP-T76	MT91	ES 53	R Zone	DE 1.2 (Primary & Secondary School) designation is shown.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
63.	EP-T77	MT92	ES 54	R Zone	DE 1.2 (Primary & Secondary School) designation is shown	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
64.	EP-T78	MT93	ES 54	27.45m DP Road part	RPU 2.1 (Fuel Station) on CTS No 1320/B/22 is shown. part, DOS 2.6 (Recreation Ground) designation and	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.



Sr. No.	Excluded Part No. (EP)	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under Section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under Section 30 of the MR & TP Act, 1966	Substantial Modification published by Government under Section 31 of the MR & TP Act, 1966	Substantial Modification sanctioned by Government under Section 31 of the MR & TP Act, 1966
1	2	3	4	5	6	7	8
					Reservation of RPU3.2 (Police Chowky)boundry is corrected accordingly.		
65.	EP-T79	MT94	ES 54	R Zone	ROS1.5 (Garden/Park) reservation is shown	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
66.	EP-T80	MT95	ES 53	R Zone	RR 2.1 (Resettlement Rehabilitation) Reservation is shown.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
67.	EP-T84	175	ES 50	no road.	27.45M DP road is shown.	27.45m Road from CTS 828 of Nahur upto western boundary of CTS 1050 of Mulund-E is proposed to be sanctioned and the proposal on remaining land is reinstated as per plan published u/s 26 as shown on plan.	Refused to accord sanction. Proposal under Section 30 is sanctioned.
68.	EP-T85	211	ES 50	RR2.1 (Rehabilitation & Resettlement)	RR2.1 (Rehabilitation & Resettlement) is changed to RE2.1 (Higher Education)	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
69.	EP-T86	221	ES 54	R Zone	ROS1.5 (Garden/ Park) is proposed.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
70.	EP-T87	230	ES 54	DE2.1 (College)	Boundary of the college corrected	Modification u/s 30 is proposed to be sanction with following changes: Width of Proposed road	Sanctioned as proposed.



dt 12/09/22

Sr. No.	Excluded Part No. (EP)	Modification No.	RDDP Sheet No.	Proposal of Draft D.P. of GR. Mumbai published under Section 26 of the MR & TP Act, 1966	Proposal of Draft D.P. of GR. Mumbai submitted under Section 30 of the MR & TP Act, 1966	Substantial Modification published by Government under Section 31 of the MR & TP Act, 1966	Substantial Modification sanctioned by Government under Section 31 of the MR & TP Act, 1966
1	2	3	4	5	6	7	8
				Community Centre+)	as per Sectioned Revised Development Plan 1991.		
51.	EP-T60	MT73	ES 49	RSA2.9 (Homeless Shelter)	RSA2.9 (Homeless Shelter) reservation is deleted.	Modification u/s 30 is proposed to be sanction.	Report from BMC is awaited, hence kept in abeyance.
52.	EP-T61	MT74	ES 53 ES 54	RE1.1 (Municipal School)	Reservation RE 1.1 (Municipal Primary School) is deleted and RE 4.4 (Other Institute) reservation is shown.	Modification u/s 30 is proposed to be sanction.	Refused to accord sanction. The proposal as per Section 26 is reinstated.
53.	EP-T62	MT74	ES 53 ES 54	RR 2.1 (Rehabilitation & Resettlement)	Internal roads are shown as existing Roads as per Sectioned Revised Development Plan 1991 and RR 2.1 (Rehabilitation & Resettlement) is deleted and shown in R Zone.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed with correction to show table of ER2.1 on plan
54.	EP-T67	MT79	ES 53	RE1.1 Municipal School)	RE 1.2 (Primary & secondary school) reservation Shape is shown as per sanctioned revised Development Plan 1991	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
55.	EP-T68	MT80	ES 58	DT 1.4+ (Best Bus Facilities+)	DT 1.4 + (Best bus facilities) designation shape is corrected and subdivision is shown.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed with correction to show DT 1.4 + (Best bus facilities) on plan.
56.	EP-T69	MT83	ES 54	RPU2.1 (Fuel station)	RPU2.1 (Fuel station) is deleted & designation of DQS 1.4 (Playground) is shown and RPU 2.1(Fuel station) is shown on land CTS No 1320C/1 of village Mulund (East)	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.
57.	EP-T70	MT84	ES 54	RSA4.8 (Cemetery)	RSA 4.8 (Cemetery) is deleted and ROS 1.5 (Garden/ark) Reservation is shown.	Modification u/s 30 is proposed to be sanction.	Sanctioned as proposed.

महाराष्ट्र शासन राजपत्र असाधारण भाग एक-कोकण विभागीय पुरवणी, ऑक्टोबर ७, २०२२/आश्विन १५, शके १९४४



अपर जिल्हाधिकारी (अति/निष्का) पूर्व उपनगरे यांचे न्यायालय

इंडस्ट्रीयल अॅश्यूरन्स बिल्डींग, पहिला मजला, चर्चगेट स्टेशन समोर, चर्चगेट, मुंबई-४०० ०२०.

दुरध्वनी क्रमांक २२८२०८१५/२२८२०८६६ Fax No. २२०८०७१२

Email : addcolc@gmail.com

क्र. अजिपू/अनधिकृत बांधकाम /मुलुंड/ कावी- /२०२३

दिनांक: १२/०६/२०२३

७७३ ५०५०

प्रति,

मा. जिल्हाधिकारी
मुंबई उपनगर जिल्हा,
वांद्रे पूर्व

विषय:- मा. राष्ट्रीय हरित लवाद, पश्चिम विभाग, पुणे

अर्ज क्र. ४३/२०२३

सागर कांतीलाल देवरे

विरुद्ध

महाराष्ट्र शासन व इतर ९

संदर्भ :- १) आपलेकडील पत्र क्र. कार्या-२ए/टे-२/कुर्ला दौरा/१३२०क/ २०२३ दि. २९ मे २०२३.

२) या कार्यालयाकडील पत्र क्र. अजिपू/अनधिकृत बांधकाम /मुलुंड/कावी २०२३/जा.क्र.३८२७ दि. ०८.०६.२०२३.

३) नगर भूमापन अधिकारी, मुलुंड यांचेकडील पत्र क्र. न.भू.अ.मु./अनधिकृत बांधकाम/मुलुंड पूर्व /१३२०क/१ मुलुंड दि. ०९.०६.२०२३

उपरोक्त विषयांकीत प्रकरणी मौजे मुलुंड, ता. कुर्ला येथील न.भू. क्र. १३२० क व न.भू. क्र. १३२० अ पै या शासकीय जागेवर झालेल्या अतिक्रमणाबाबत मा. राष्ट्रीय हरित लवाद यांच्याकडे दाखल अर्ज क्र. ४३/२०२३ मध्ये मा. राष्ट्रीय हरित लवादाने दि. २५.०४.२०२३ रोजी आदेश पारित केले असून सदर आदेशामध्ये उपरोक्त शासकीय जागेवरील अतिक्रमण निष्कासित करण्याकरिता आपले प्रतिनिधी म्हणून या कार्यालयाची नियुक्ती करण्यात आली आहे. प्रकरणी उक्त नमूद शासकीय जागेला भेट देऊन अतिक्रमणाबाबत आवश्यक ती कार्यवाही करून केलेल्या कार्यवाही बाबतचा अहवाल ३ आठवड्यात सादर करण्याचे निर्देश देण्यात आले होते. त्याप्रमाणे संदर्भिय पत्र क्र. २ अन्वये दि. ०८.०६.२०२३ रोजी दुपारी १२.०० वाजता उक्त प्रकरणी मौजे- मुलुंड, तालुका कुर्ला येथील न.भू. क्र. १३२० क व न.भू. क्र. १३२० अ पै या शासकीय जागेवर झालेल्या अतिक्रमणाबाबत कार्यकारी अभियंता, विकास नियोजन, बृहन्मुंबई महानगरपालिका, मुंबई, उपजिल्हाधिकारी (अति/निष्का) मुलुंड, तहसिलदार कुर्ला, नगर भूमापन अधिकारी मुलुंड, मंडळ अधिकारी घाटकोपर व तलाठी मुलुंड यांचेसमवेत दि. ०८.०६.२०२३ रोजी समक्ष संयुक्त स्थळपाहणी करण्यात आली असून संदर्भ क्र. २ अन्वयेनगर भूमापन अधिकारी, मुलुंड यांचेकडून प्राप्त झालेल्या अहवालानुसार पुढील प्रमाणे वस्तुस्थितीदर्शक अहवाल सादर करित आहोत.

१. नगर भूमापन मुलुंड पूर्व येथील न.भू. क्र. १३२०क/ १ ची मिळकत पत्रिका पाहता तिचे एकूण क्षेत्र ३३३२७.० चौ. मी. सत्ता प्रकार "जी" व धारक सदरी "महाराष्ट्र शासनाचे" नाव दाखल आहे. मा. जिल्हाधिकारी, मुंबई उपनगर जिल्हा यांचेकडील आदेश क्र. सी/कार्या-२/२अ/जमीन/कावी - १०६/२०११ दि. २९.१२.२०११ अन्वये दि. २९.०४.२०१२ रोजीचे नोंदणी २५६९.६८ चौ. मी. क्षेत्रास BVR म्हणून ऑन इंडिया इन्स्टिट्यूट ऑफ लोकल सेल्फ गव्हर्नमेंट यांचे नाव दाखल आहे.

२. न.भू. क्र. १३२०क/१ पै या मिळकतीवर RE-CREATION, GROUND (R.G.) साठी आरक्षित असलेल्या जागेचे नकाशानुसार क्षेत्रफळ सुमारे ३२००० चौ. मी. (अंदाजे) असून त्यामध्ये अर्ज क्रमांक ४३/२०२० मध्ये सदर



जागेमध्ये ३ अनधिकृत बांधकामे असून सदरची अतिक्रमणे निष्कासन करणेच्या कार्यवाहीबाबत मा. न्यायालयात ३ अनधिकृत बांधकामाबाबत न्यायप्रविष्ट आहेत. त्याचा तपशील खालीलप्रमाणे आहे.

अ.क्र.	बांधकामाचे स्वरूप	लांबी X रुंदी (मीटर)	क्षेत्रफळ चौ. मी.
१	निवासी बैठ्या स्वरूपाचे लोखंडी पत्र्याचे बांधकाम	५.२० X ९.१०	४७.३२
२	निवासी बैठ्या स्वरूपाचे लोखंडी पत्र्याचे बांधकाम	४.३० X ९.०	३८.७
३	पत्र्याचे गोडाऊन	१३ X १३.५०	१७५.५

३. न.भू. क्र. १३ २०क/१ या मिळकतीचे जागेवर उपरोक्त नमूद मुद्दा क्र. २ मधील बांधकामाबरोबर सद्यस्थितीत फायर ब्रिगेड केंद्र, भंडारी सहाय्यक मंडळ, सप्तशृंगी महिला मंडळ, रजनीगंधा फाउंडेशन, ब्राह्मण सेवा संघ, वैष्णव चारिटेबल ट्रस्ट, रोहित पाटील प्रतिष्ठान यांची बांधकामे आहेत. सदर मिळकतीमधून रस्ता जात असून उर्वरित जागा मोकळी असून काही ठिकाणी जागेवर झाडेझुडपे आहेत. सदर जागेचा स्थळदर्शक वस्तुस्थिती दर्शविणारा नकाशा नगर भूमापन अधिकारी मुलुंड यांनी सादर केला आहे. सदर जागेवरील अनधिकृत बांधकामे दूर करणेबाबतची कार्यवाही करणेबाबत उपजिल्हाधिकारी (अति/निष्का) मुलुंड तसेच सर्व संबंधितांना निर्देश देणेत आले आहेत.

सोबत संदर्भ क्र. २ वर नमूद नगर भूमापन अधिकारी मुलुंड यांचेकडील अहवाल व त्यासमवेत प्राप्त जागेचा प्रमाण विरहीत नकाशा व मिळकत पत्रिकेचा उतारा यांच्या प्रती जोडल्या आहेत.

(Handwritten Signature) 15/6/23

(तेजसिंग पवार)
अपर जिल्हाधिकारी (अति/निष्का)
पूर्व उपनगरे

प्रत : १. मा. आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

२. कार्यकारी अभियंता, (विकास व नियोजन), बृहन्मुंबई महानगरपालिका, मुंबई.

२/५५

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
११	१		
१२	२		
१	५	15 JUN 2023	
३	१		
क.प्र.व.सि./ 06472			
साधारण	सादर	पूर्व उप	प. उप
मा. अधिक.	टिपणीअर	सहा	असहा





जिल्हाधिकारी मुंबई उपनगर यांचे कार्यालय

प्रशासकीय इमारत, १० वा मजला, शासकीय वसाहत, वांद्रे (पूर्व), मुंबई-४०० ०५१
दूरध्वनी : ०२२ ६९४०३३३३/६९४०३३००, ई.मेल : collector.mumbai suburb@maharashtra.gov.in



क्र.:सी/कार्या-२ए/टे-२/कावि-३०८/२०२३

दिनांक: 13 SEP 2023 21459

१. प्रमुख अभियंता(वि.नि.), बृहन्मुंबई महानगरपालिका यांचे पत्र क्र.CHE/DP/022208/DPES/T दि.०८.१२.२०२२.
२. प्रमुख मापन अधिकारी, मुलुंड यांचे पत्र क्र.न.भू.अ.मु./न.भू.मुलुंड(पु)/स्थळ पाहणी/न.भू.क्र.१३२०/क/१/२०२३ दि.२७.०२.२०२३
३. तहसीलदार, कुर्ला यांचेकडील पत्र क्र.तह/कुर्ला/जमीन/कावि-११३/२०२३ प्राप्त दि.२७.०२.२०२३
४. शासन, महसूल व वन विभाग यांचेकडील पत्र क्र.जमीन-२६२३/प्र.क्र.६३/ज-३ दि.२५.०८.२०२३
५. महाराष्ट्र जमीन महसूल संहिता, १९६६ अन्वये तयार केलेले महाराष्ट्र जमीन महसूल (सरकारी जमिनीची विल्हेवाट लावणे) नियम, १९७१ मधील नियम ६ (३) (अ)
६. शासन महसूल व वन विभाग यांचेकडील परिपत्रक क्र.एलएनडी १०८३/२७०२/सीआर-१९०९-जी-५ दि.०४.०२.१९८३

आदेश :

मौजे मुलुंड, तालुका कुर्ला येथील न.भू.क्र.१३२०/क/१ पै व नाल्याच्या बाजूची मनोरंजन मैदानासाठी आरक्षित असलेली शासकीय जमीन उपोद्घातातील क्र.१ चे पत्रान्वये प्रमुख अभियंता (विकास नियोजन), बृहन्मुंबई महानगरपालिका यांनी महानगरपालिकेकडे हस्तांतरित करणेबाबत विनंती केली आहे.

त्या अनुषंगाने प्रकरणी योग्य ती चौकशी करुन आवश्यक त्या कागदपत्रांसह वस्तुस्थितीदर्शक अहवाल सादर करणेबाबत कळविलेप्रमाणे उपरोक्त उपोद्घातातील अ.क्र. २ व ३ मध्ये नमूद अहवाल या कार्यालयास प्राप्त झाले आहेत.

सदर अहवालानुसार प्रश्नांकीत मिळकत ही मौजे मुलुंड, तालुका कुर्ला येथील स.नं.३८६/१ मधील असून सदर मिळकतीच्या ७/१२ उतान्यास कब्जेदार सदरी महाराष्ट्र सरकार अशी नोंद असून एकुण क्षेत्र ४.८१.०७ हेक्टर आर चौ.मी आहे. सदर मिळकतीचा न.भू.क्र.१३२०/क/१ असुन मिळकत पत्रिकेस धारक सदरी महाराष्ट्र सरकार असे नमुद असुन एकुण क्षेत्र ३३३२७.०० चौ.मी. आहे.

बृहन्मुंबई महानगरपालिका यांचे प्रतिनिधी यांनी स्थळ पाहणीवेळी दाखविलेल्या सिमांकनाप्रमाणे मनोरंजन मैदान विकसित करणेसाठी दाखविलेल्या भूखंड क्षेत्राचा प्रमाण विरहित नकाशा सादर केला आहे. सदर मागणी केलेले क्षेत्र ६६४०.०० चौ.मी. असून असून सदरचे क्षेत्र हे विकास आराखडा २०३४ नुसार मनोरंजन मैदानाकरीता आरक्षित असलेल्या क्षेत्रापैकी आहे. मागणी केलेल्या जागेवर चिंधी, जुना कापड यांचा व्यवसाय करण्यात येत असून काही ठिकाणी जागेवर झाडेझुडपे आहेत. तसेच स्थळ पाहणी अहवालामध्ये महापालिकेने सदर जागेची मागणी त्यावरील बांधकामसहीत केली आहे.

मागणी केलेल्या जागेच्या पुर्वेस नाला, पश्चिमेस रस्ता, उत्तरेस रस्ता, नाला व दक्षिणेस सद्गुरु सह.गृह.नि.संस्था आहे. न.भू.क्र.१३२०/क/१ मधील अंदाजे ६६४०.०० चौ.मी. मनोरंजन मैदानाकरीता आरक्षित क्षेत्र आज रोजी महानगरपालिकेकडे वर्ग करणेसाठी उपलब्ध आहे.

प्रकरणी या कार्यालयाने दि.०१.०३.२०२३ रोजी शासनास सादर केलेल्या अहवालाचे अनुषंगाने शासन महसूल व वन विभाग यांनी उपोद्घातातील क्र.४ चे पत्रान्वये सदर जमीन ज्या प्रयोजनासाठी आरक्षित आहे, त्या प्रयोजनासाठीच तिचा वापर होणे आवश्यक आहे. तसेच महाराष्ट्र जमीन महसूल संहिता, १९६६ अन्वये तयार केलेले महाराष्ट्र जमीन महसूल (सरकारी जमिनीची विल्हेवाट लावणे) नियम, १९७१ मधील नियम ६ (३) (अ) प्रमाणे ज्या ठिकाणी नियोजन प्राधिकरण यांना महाराष्ट्र प्रादेशिक व नगररचना अधिनियम १९६६ च्या तरतुदीन्वये प्रसिद्ध करण्यात आलेल्या प्रारूप अथवा अंतिम विकास आराखड्यातील आरक्षण विकसित करण्यासाठी शासकीय जमीन आवश्यक असेल, तेथे सदर शासकीय जमिनीचे बाजारमूल्य कितीही असो, अशी जमीन संबंधित नियोजन प्राधिकरण

किंवा समुचित प्राधिकरण यांना प्रदान करण्यास जिल्हाधिकारी सक्षम राहतील.

उक्त तसेच उपोद्घातातील अ.क्र.६ मधील तरतुदीप्रमाणे तसेच शासनाने दि.२८.०८.२०२३ रोजीच्या पत्रान्वये दिलेल्या निर्देशानुसार प्राप्त अधिकारान्वये मी, राजेन्द्र ब. भोसले, जिल्हाधिकारी, मुंबई उपनगर मौजे मुलुंड, ता.कुर्ला येथील न.भू.क्र.१३२०/क/१ मधील शासकीय मिळकतीपैकी मनोरंजन मैदानासाठी आरक्षित असलेली ६६४०.०० चौ.मी. शासकीय जमीन प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका यांचेकडे मनोरंजन मैदान म्हणून विकसित करणेसाठी महसूल मुक्त व भोगधिकार मूल्यरहित कब्जेहक्काने खालील अटी व शर्तीस अधिन राहून मंजुरी देत आहे.

अटी व शर्ती

- १) उक्त शासकीय मिळकतीचा वापर महानगरपालिकेस मंजूर प्रयोजनासाठीच करता येईल. तसेच सदर जमिनी गहाण / तारण / भाडेपट्ट्याने देता येणार नाही. जमीनाचा कोणताही भाग हस्तांतरण अथवा त्रयस्थ पक्षकार यांना हक्क प्रस्तापित करता येणार नाही.
- २) सदर शासकीय जमीन महानगरपालिका भोगवटादार वर्ग-२ या धारणाधिकारावर धारण करील. सदर जमिनीचा धारणाधिकार 'ग' असा राहिल.
- ३) महापालिकेने जमीन ताब्यात घेतलेल्या तारखेपासून दोन वर्षात जमिनीचे मंजूर प्रयोजनासाठी विकसित करणे आवश्यक आहे.
- ४) विषयांकित जमिनीवर विकास काम करताना महानगरपालिकेने सर्व न्यायालयीन आदेशांचे पालन होईल, याबाबत दक्षता घ्यावी.
- ५) मंजूर जमिनीवर जाण्यास/तपासणी करण्यास महाराष्ट्र जमीन महसूल अधिनियमाच्या तरतुदीनुसार शासनाचा अधिकार राहिल.
- ६) महाराष्ट्र जमीन महसूल अधिनियम १९६६ व त्या खालील नियम व वेळोवेळी शासनाने पारित केलेले निर्णय व तरतुदी महापालिकेस बंधनकारक राहतील.
- ७) सदर जमिनीवरील बांधकामाबाबत बृहन्मुंबई महानगर पालिकेने योग्य ती काळजी घ्यावी.
- ८) शासनास अन्य सार्वजनिक प्रयोजनार्थ जमिनीची आवश्यकता भासल्यास मंजूर जमीन विनाअडथळा कोणतीही नुकसान भरपाई न देता काढून घेण्यात येईल. काढून घेतलेल्या जमिनीवरील बांधकामा संबंधात नुकसान भरपाई देय झाल्यास त्याबाबतचा शासनाचा निर्णय अंतिम राहिल.
- ९) सदर जमिनीचे अतिक्रमणापासून संरक्षण करण्याचे जबाबदारी बृहन्मुंबई महानगरपालिका यांची राहिल.
- १०) शासनाने भविष्यात वेळोवेळी घेतलेले धोरणात्मक निर्णय बृहन्मुंबई महानगरपालिकेला बंधनकारक राहतील.
- ११) प्रश्नाधीन जमिनीबाबत न्यायालयात दावे प्रलंबित असल्यास सदर दाव्यातील अंतिम निर्णय महापालिकेवर बंधनकारक राहतील
- १२) वरीलपैकी कोणत्याही अटीचा भंग इत्यादीचे निदर्शनास आल्यास विकासाची परवानगी रद्द करणेत येईल अथवा थांबविण्याचे या कार्यालयाचे अधिकार राहतील.
- १३) उपरोक्त अटी/शर्ती मान्य असलेबाबत रु.५००/-चे मुद्रांकित कागदावर हमीपत्र या कार्यालयात ३० दिवसांच्या आत सादर करावे.

स्थळ प्रतीवर मा.जिल्हाधिकारी यांची सही असे



(सतिश बागल)
निवासी उपजिल्हाधिकारी,
मुंबई उपनगर

प्रति,

प्रमुख अभियंता (विकास नियोजन), बृहन्मुंबई महानगरपालिका मुख्य कार्यालय, ५ वा मजला, विस्तारीत इमारत, महानगरपालिका मार्ग, फोर्ट, मुंबई-४०० ०११

प्रत :

१. मा. अपर मुख्य सचिव, (महसूल) महसूल व वन विभाग, मंत्रालय, मुंबई-३२ यांचेकडे माहितीसाठी सरनेह अग्रेषित
 २. मा. विभागीय आयुक्त, कोकण विभाग, कोकण भवन, सी बी डी वेलापुर, नवी मुंबई यांचेकडे माहितीसाठी सविनय सादर
 ३. तहसिलदार, कुर्ला/ नगर भूमापन अधिकारी, मुलुंड १८४
- /- नगर भूमापन अधिकारी यांनी जमिनीची मोजणी करून उक्त समूह क्षेत्राचा ताबा प्रमुख अभियंता (वि.नि.) बृ.म.न.पा यांना देणेत यावा. तसेच ताबा पावत घेण्याकरीता दोन प्रतीत या कार्यालयास सादर करावी.

४. निवड नरती कार्यासन -२ ए



20/09/2023 21454

राज्य निर्माण परामर्श पालिका
 विकास अभियंता (विकास निबोला)
 यांचे कार्यालय

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20 SEP 2023
14806

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प. उ. उ. ५	प. उ. उ. ६	प. उ. उ. ७	प. उ. उ. ८

21454

Dy Ch EDP-I

[Signature]

20/09/2023

for Chief Engineer (D)

E.E. (D.P.) - E.S./Ch/DCPR
for nla p)

21/9

Dy. Ch. E. (D.P.)-I

AE(DP)NST

[Signature]

25/09/2023

EE(DP)ES(1/0)

SE(DP)T

Pl. put up on peioicity

[Signature]

26/09/2023

AE(DP)NST



BRIHANMUMBAI MUNICIPAL CORPORATION

NO. ChE/14806/DPES/T Dated: 04 Oct 2023

Office of the
Chief Engineer (Development Plan)
Brihanmumbai Mahanagarpalika,
Municipal Head Office
5th Floor, Annex Building
Mahapalika Marg,
Mumbai - 400 001.

To,

The City Survey Officer (Mulund)

Topiwala College Compound
S N Road, Mulund (W),
Mumbai - 400 080

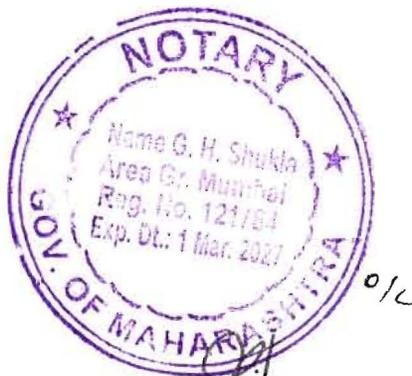
Subject: Transfer of Govt. land for ~~development of Playground on land~~ bearing CTS no. 1320C/1, ~~CTS no. 144 & CTS no. 1328~~ of village Mulund (East) in T ward.

Reference: Resident Dy. Collector, Mumbai Suburb's order vide no. सी/कार्या-२ए/टे-२/कावि-३०८/२०२३/२१४५४ दि. १३/०९/२०२३.

Sir,

Please refer to the above cited Resident Dy. Collector, Mumbai Suburb's order दि. १३/०९/२०२३. As per said order the land bearing CTS no. 1320/C/1(pt) of village Mulund (E) affected by existing amenity of EOS 2.6(Recreation Ground) adm. 6640.00 sq.mt. is to be handed over to BMC for developing the same for intended purpose.

In view of abovesaid order, CTSO, Mulund is requested to carryout the Joint Measurement of said land and handover possession of land bearing CTS no. 1320/C/1(pt) of village Mulund (E) affected by existing amenity of EOS 2.6(Recreation Ground) adm. 6640.00 sq.mt. to BMC, at the earliest.



Yours Faithfully

Shanti N.
27/09/2023

**Executive Engineer
(Development Plan) E.S. (1/1)**

Rathna
27/09/23
SECRET

Shanti N.
27/09/2023
AE(DP)NST

**BEFORE THE NATIONAL GREEN
TRIBUNAL WZ BENCH, AT PUNE**

ORIGINAL APPLICATION NO. 43/2023(WZ)

Sagar Kantilal Devre

.....Applicant

Versus

State of Maharashtra &Ors.

...Respondent

**AFFIDAVIT IN REPLY ON BEHALF OF
RESPONDENT NO.2 - MCGM**



Shri S.K. Sonawane & Ors.
Advocate for Respondents,
Legal Department,
Municipal Corporation
Of Greater Mumbai,
Mahapalika Marg,
Mumbai - 400 001.