



MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI

9, Hajarimal Somani Marg, Opp. Chhatrapati Shivaji Maharaj Terminus,
(CSMT) Mumbai – 400 001



Tel : 022-22092857

E-mail: court1-mshrc@mah.gov.in

No. MSHRC/AMB/08/2025/1942
Date: August 2025

To,

1. The Municipal Commissioner
Municipal Corporation of Greater Mumbai
Mumbai
2. The Dy. Commissioner of Police,
Zone- VIII, Mumbai

Sub: Order in case No. 2223/13/16/2024 dated 18.08.2025

I am directed to intimate to you to comply with the orders / directions of the Commission.

You are requested to comply with the orders within one month or as specified in the order. The compliance report be kindly submitted to this office as per Section 18 (e) of the Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission (Procedure) Regulations, 2011.

Encl. Order copy (04 Pages)


(Pradeep Kumar Dange, IAS)
Secretary



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AMB/Case No. – 2223/13/16/2024 / 1942

Name of the Complainant : Dexter Teddy Miranda
Beena Apartments, 16-A
Kalina Village Flat No.3
1st Floor, Santacruz (East)
Mumbai – 400 029
Mobile No. 98197 98366
Email: tedexter4@gmail.com

V/s.

Name of Respondent : 1 The Municipal Commissioner
Municipal Corporation of Greater Mumbai
Mumbai
2 The Commissioner of Police
Mumbai
3 The Dy. Commissioner of Police
Zone – IX, Mumbai

Date : 18th August 2025

Coram : Justice A. M. Badar, Chairperson

ORDER

1. Complainant is present in person. Smt. Yogeeta Hiranman Tarde, Asst. Police Inspector, Vakola Police Station is present.
2. Complainant has filed this complaint claiming following reliefs:

1. Permit the complainant application, passed by his the Honorable Human Right Commission under Regulation applicable according to Law,

and according to the attached evidences of documents / materials, and photographs.

2. Directing Government agencies by enforcing investigation by High Police authorities, I'm sure it will find out the truth, and lawful action to be taken according to LAW, in best interest of justice.

3. Any such other and further investigation be granted by his honorable authority (CBI & Income tax department), as may be deemed fit and proper, including cost, so that such misuse of powers are not misused, by PUBLIC SERVANTS.

3. So far as prayers regarding causing investigation by the high police authorities or by CBI and Income Tax Department is concerned, this Commission being a creature of statute has a limited jurisdiction accorded to it by the statute. Hence, this commission cannot direct the CBI or the Income Tax Department or high police authorities to investigate. The CBI or Income Tax Department are outside the jurisdiction of the Commission.

4. The complainant is present in person. He argued that a building opposite to his residential house is in fact a residential bldg. where no other activists are permitted but various illegal activities are going on in that building. He tendered few orders passed by the Municipal Corporation of Greater Mumbai in respect of those illegal activities.

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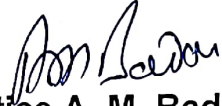
5. The order dated 21.04.2025 of the Municipal Authority is mentioning violation of building ^{plan} laws and is directing the concerned to restore the premises as per approved building plan failing which it is clarified that demolition work shall be undertaken departmentally. The Municipal Corporation has also noted that ^{action} under Section 475 (A) of the Mumbai Municipal Corporation Act shall be taken in the matter. One page of another order dated 29.07.2025 issued by the Municipal Corporation is also produced wherein the Municipal Corporation had directed to remove unauthorized structure within 15 days. Reminder No. 1 dated 25.03.2025 issued to the Dy. Collector by the Asst. Engineer is also produced forwarding the complaint to the Dy. Collector.

6. None appeared for the Municipal Corporation of Greater Mumbai. However, the orders passed by the said Corporation shows that it has accepted the fact that there is alteration in the sanctioned building plan and some illegal construction is there on the site. This indicates violation of human rights of the neighbours including the complainant.

7. On behalf of the police department it is contended that the principle grievance is against the Municipal Corporation of Greater Mumbai and if demand is made by the Municipal Corporation, Police bandobast would be provided. It is reported that in past police has provided the staff.

8. As it is seen that the Municipal Corporation has already issued notices to the concerned, the complaint is disposed of with following order:

- a) The Municipal Corporation of Greater Mumbai is recommended to take necessary action as per the time frame given by it in pursuant to its order dated 29.07.2025 and 24.04.2025 expeditiously.
- b) The Dy. Commissioner of Police, Zone – VIII to provide police bandobast if so required by the Municipal Authorities.
- c) Learned Secretary attached with this Commission is directed to comply with the provisions of Section 18 (e) of the Protection of Human Rights Act, 1993.
- d) With these observations case stands closed and disposed of.
- e) Inform to all the parties concerned.


(Justice A. M. Badar)
Chairperson