

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1468 OF 2014

Hemant Mangesh Padte .. Petitioner.
Vs.
Controller of Unauthorised
Construction, CIDCO .. Respondents.

Mr.Sachin Keru Hande for the Petitioner.
Mr.Jaydeep Deo for the Respondent No.1.
Mr.C.G. Gavnekar for Respondent Nos.3 and 4.
Mr.Vaibhav Gaikwad for Respondent No.5.

CORAM : A.S. OKA & A.K. MENON, JJ.

DATED : 13TH MARCH, 2015

P.C.

1. Learned counsel appearing for the Respondent has placed on record a copy of the notice dated 18th November, 2014 served on the said Respondent under Sub-section (1) of Section 53 of the Maharashtra Regional and Town Planning Act, 1966. A copy of the notice is taken on record and marked "Y" for identification. He also states that the notice is subject matter of challenge in a writ petition filed by the Respondent No.5 in which the ad-interim relief has been granted.

2. As far as prayer clause (a) is concerned, the same is worked out. As far as prayer clause (b) is concerned, the case of the Petitioner is that the Respondent Nos.3 and 4 have granted no

objection certificates without following the due process of law or by indulging in illegality. It is for the Petitioner to provide the necessary material by making a representation to second respondent. If such a representation is made, the second respondent shall decide the same in accordance with law.

3. Hence, we dispose of the petition subject to what is observed above.

(A.K. MENON, J.)

(A.S. OKA, J.)