

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5101 OF 2015

Mr.S.N.Gawade i/b SHREEANDCO for the Petitioners
Mr.Akshay Shinde for the respondent Nos.1 to 3.
Ms M.P.Thakur, AGP for respondent No.5

2 The challenge in this petition under Article
226 of the Constitution of India is to the notice
dated 29th May 2014 issued by the respondent No.4
under section 54 of the Maharashtra Regional and
Town Planning Act,1966. The fact that the first
petitioner has applied for regularization shows that
the petitioners have accepted that the structure
subject matter of the said notice has been
constructed without obtaining valid permission of

the Competent Authority.

3 As the application dated 8th June 2015 is pending, we dispose of the petition by passing the following order:

- (I) We direct the respondent Nos.1 to 3 to dispose of the application dated 8th June 2015 within a period of two months from today;
- (II) The order passed on the application be communicated to the petitioners;
- (III) Till the date of communication of the said order, the impugned notice dated 29th May 2014 shall not be acted upon;
- (IV) If the order passed on the said application be adverse to the petitioners, the protection shall continue to operate for a period of four weeks from the date on which the order is communicated to the one of the petitioners;
- (V) All contentions on merits of the pending application are kept open;
- (VI) Writ Petition is disposed of on above terms.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)