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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.5390 OF 2013 WITH
CIVIL APPLICATION NO.1453 OF 2013

Reliance Communication Ltd. & Ors. ...Petitioners
vs.

Ulhasnagar Municipal Corporation
and others ...Respondents

Mr.V.A.Thorat, Senior Advocate a/w Mr.Vaibhav
Sughadare i/b M/s.K. Ashar & Co. for the Petitioners
and the applicants

Mr.Rahul Deodhar i/b Mr.Suresh Kamble for the
respondent Nos.1 and 2.

CORAM : A.S.OKA, &

REVATI MOHITE DERE, JJ.

DATE : JULY 13, 2015

P.C.:

1 The learned senior counsel for the petitioners on instructions states that though a statement of the petitioners was recorded in earlier order dated 17th December 2013 that they do not desire to apply for regularization, now the petitioners have reconciled and they have decided to apply for regularization. We accept the said statement. The very fact that the petitioners desire to apply for regularisation shows that they have accepted that they have erected the structures in question subject matter of the impugned notices without obtaining permission from the Competent Authority.

2 In view of the aforesaid statement, we dispose of the petition by passing the following order:

- (I) It will be open for the petitioners to apply for regularization of the offending structures subject matter of the impugned notices at Exhibit A-1 to A-8 within a period of two months from today. The applications shall be made in a prescribed form through a licensed Architect;
- (II) If such applications are made within the stipulated period of two months from today, the same shall be decided by the first respondent-Municipal Corporation within a period of two months from the date on which the applications are filed;
- (III) If the petitioners fail to apply for regularization, within the stipulated time of two months, it will be open for the first respondent to take action in accordance with impugned notices at Exhibits A-1 to A-8 respectively;
- (IV) The orders passed on the applications for regularization shall be communicated to the petitioners or to their licensed Architects;
- (V) Till the date of communication of the orders to the petitioners or to their licensed Architect, whichever is earlier, no action shall be taken on the basis of the impugned notices at Exhibits A-1 to A-8;
- (VI) If the orders be adverse to the petitioners, action on the basis of the impugned notices shall not be taken for a period of one month from the date of

communication of the orders to the petitioners
or to their licensed Architect, whichever is
earlier;

(VII) All contentions on merits are kept open;

(VIII) Writ Petition is disposed of on above
terms;

(IX) Civil Application No.1453 of 2013 is
disposed of.

(REVATI MOHITE DERE,J.)

(A.S.OKA,J.)