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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION ST.NO.22966 OF 2015,

Jitendra Sunderlal Dua ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

ALONG WITH
WRIT PETITION ST.NO.22969 OF 2015

Jitendra Sunderlal Dua ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

ALONG WITH
WRIT PETITION ST.NO.22968 OF 2015

Dharam Narayan Joshi ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

ALONG WITH
WRIT PETITION ST.NO.22969 OF 2015

Rajesh Suresh Nagda ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

ALONG WITH
WRIT PETITION ST.NO.22970 OF 2015

Jagatram Somaji Patel ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

ALONG WITH
WRIT PETITION ST.NO.22971 OF 2015

Suresh Irabatti ...Petitioner
vs.
Municipal Commissioner of
Mira Bhayander Municipal
Corporation and others ...Respondents

Mr.Jitendra M. Patil for the Petitioner
Mr.N.R.Bubna for the respondent No.1
Mr.A.I.Patel, AGP for respondent No.2

CORAM : A.S.OKA, &
K.R.SHRIRAM, JJ.
DATE : AUGUST 26, 2015

P.C.:

. Not on board. Taken on board.

1 The learned counsel for the petitioners on instructions of the petitioners who are stated to be present in the Court states that the petitioners desire to apply for regularization of the structures subject matter of the impugned orders/impugned notices. He states that the applications for regularization shall be filed by the petitioners within the time fixed by this Court.

2 The very fact that the petitioners have made a statement that they desire to apply for regularization shows that the petitioners have admitted that the structures subject matter of the notices are unauthorised.

3 Hence, we dispose of the petitions by passing the following order:

- (I) It will be open for the petitioners to make applications for regularization of the structures within a period of two weeks from today;
- (II) The applications shall be in the prescribed format through a licenced Architect;
- (III) If such applications are made within a period of two weeks from today, the respondent No.1 shall decide the same expeditiously and in any event within a period of two months from the date on which the applications are made;
- (IV) The orders passed by the respondent No.1-Corporation shall be communicated to the petitioners or their licensed Architect. Till th date of such communication, action of demolition on the basis of the impugned notices/orders shall not be taken;
- (V) If the orders be adverse to the petitioners, action of demolition shall not be taken for a period of three weeks from the date on which the orders are communicated to the petitioners or their licensed Architect, whichever is earlier;
- (VI) On failure of the petitioners to make applications for regularization within the stipulated period, it will be open for the respondent No.1-Corporation to take action of demolition;
- (VII) All contentions on merits of the applications for regularization are kept open;

(VIII) Writ Petitions are disposed of on above terms.

(K.R.SHRIRAM,J.)

(A.S.OKA,J.)