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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO.23070 OF 2015

Navdeep Tulshiram Patil

..Petitioner.

V/s.

The Managing Director, CIDCO and Ors.

..Respondents.

Mr.Rahul Thakur for the petitioner.

Mr. Ajay Khaire with Mr.Roopadaksha i/b. the Law Point for
respondent Nos.1 to 4.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 19TH OCTOBER, 2015

P.C. :-

1. Perused the earlier order dated 26th August, 2015. In terms of the said order, the petitioner has submitted an undertaking dated 26th August, 2015. He has undertaken to the Court to remove the structure subject matter of the impugned notice within a period of 8 weeks from the date on which the application for regularisation is rejected.

2. In view of this undertaking, the petitioner deserves to be granted a limited protection. The learned counsel appearing for the respondent Nos.1 to 4 submits that even the petitioner be directed to maintain status quo as regards the structure subject

matter of the notice. We accept the submission. Hence, we pass the following order:-

- (i) The application made by the petitioner for regularisation shall be decided by the first to fourth respondents within a period of two months from today;
- (ii) The order passed on the said application be communicated to the petitioner;
- (iii) Till the date of communication of the order, the petitioner and the first to fourth respondents shall maintain status quo as of today in respect of the structure subject matter of the impugned notice dated 30th July, 2014;
- (iv) If the order passed on the application of the petitioner for regularisation be adverse to the petitioner, the order of status quo granted shall continue to operate for a period of 8 weeks from the date on which the order is served on the petitioner;
- (v) The undertaking of the petitioner dated 25th August, 2015 is accepted;
- (vi) We make it clear that in the event the petitioner fails to vacate the structure subject matter of the notice within the

time specified in the undertaking, it will be open for the first to fourth respondents to forcibly evict the petitioner and other occupants of the structure by taking police help;

(vii) All contentions on merits of the application for regularisation are kept open;

(viii) The petition is disposed of in the above terms.

(ix) All concerned to act upon an authenticated copy of this order.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)