

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.3638 OF 2013
IN
FIRST APPEAL NO.1945 OF 2008

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Glenn A. Lobo for the Applicant
Mrs. M. R. Bhoir for Municipal Corporation

CORAM : K. K. TATED, J.
DATE : APRIL 24, 2015

P.C.:

1. Heard. The learned counsel for the Municipal Corporation filed Affidavit-in-Reply dated 22/04/2015. Same is taken on record.

2. This Application is preferred by the Plaintiff directing the Corporation to make a statement on solemn affirmation that they will regularize the Applicant's suit structure if the Applicant withdraws the First Appeal.

3. The learned counsel for the Respondent Corporation submits that for regularization of unauthorised construction, the Applicant has to make an Application in prescribed form through a

registered Architect, then only the Corporation can consider the regularization Application. She submits that till today, the Applicant has not made any such Application. Hence, there is no question of making any statement about the regularization.

4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, it is crystal clear that till today, the Applicant has not made any Application in prescribed form through registered Architect for regularization of the suit structure. Hence, there is no question of allowing the Civil Application. Civil Application stands rejected.

JUDGE