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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L)NO.2980 OF 2015

Primerose Co-operative Housing Society	...Petitioner
vs.	
The Municipal Corporation of Greater Mumbai	...Respondent

Mr.Kunal Bhanage for the Petitioner
Mr.Vinod Mahadik for the respondent No.1
Ms Sharmila Deshmukh for respondent No.2

CORAM : A.S.OKA, &
 V.L.ACHLIYA,JJ.
DATE : OCTOBER 16, 2015

P.C.:

. Not on board. Taken on board.

1 Heard the learned counsel for the petitioner,
the learned counsel for the first respondent and the
learned counsel for the second respondent.

2 The learned counsel for the first respondent
states that the impugned order dated 22nd September
2015 passed by the Second Appellate Authority is
withdrawn on the ground that the reasons have not
been recorded. He states that the second appeal
will be heard afresh.

3 The learned counsel for the petitioner seeks a
direction against the second respondent to decide

the application for NOC made on 13th October 2015 as expeditiously as possible. He states that the petitioner will submit additional documents in support of his application within a period of one week.

4 The learned counsel for the second respondent states that if a direction is issued to that effect, the application will be placed for consideration in the next monthly meeting of the second respondent. We accept the aforesaid statement.

5 Hence, we dispose of the petition by passing the following order:

- (i) We direct the second respondent to place the application dated 13th October 2015 made by the petitioner in the next monthly meeting of the second respondent authority. Appropriate decision shall be taken on the said application in the next monthly meeting;
- (ii) The decision taken by the second respondent shall be communicated to the petitioner by 30th November 2015;
- (iii) It will be open for the petitioner to file additional documents in support of the application dated 13th October 2015 with the second respondent within a period of one week from today;
- (iv) We direct the petitioner to appear before the second Appellate Authority on 4th December 2015 at 11.00 a.m. The petitioner shall produce

- a copy of the decision taken by the second respondent on that day;
- (v) The Appellate Authority shall decide the appeal as expeditiously as possible and in any event within a period of six weeks from 4th December 2015;
- (vi) All contentions on merits of the application made by the petitioner to the second respondent as well as merits of the appeal are kept open;
- (vii) It is obvious that till the disposal of the Second Appeal, hoarding of the petitioner cannot be removed subject to condition that the petitioner shall not display any advertisement thereon;
- (viii) Writ petition is disposed of on above terms;
- (ix) All concerned to act upon an authenticated copy of this order.

(V.L.ACHLIYA,J.)

(A.S.OKA,J.)