

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 156 OF 2015

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Pradeep J. Thorat for the Petitioner.
Shri Vinod Mahadik for the Respondents.

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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 11TH JUNE 2015

P.C.:

. Not on board. Taken on board.

2. Heard learned counsel appearing for the
Petitioner and the learned counsel appearing for the
Respondents.

3. The challenge in this Petition is to the Notice
dated 21st November 2014 issued by the First
Respondent Municipal Corporation under Sub-
section (1) of Section 53 of the Maharashtra
Regional and Town Planning Act, 1966 (for short
“the MRTP Act”). The contention is that the
Petitioner is a purchaser of the Flat No.7 on the 7th

floor in the building in question and no notice has been served to him.

4. The learned counsel appearing for Respondents on instructions of Shri Sunil Tawde, Assistant Engineer K/W (B&F) states that the Municipal Corporation will not take any action as contemplated by the impugned notice unless a fresh notice is served to the Petitioner under Sub-section (1) of Section 53 of the MRTP Act in relation to the property subject matter of the impugned notice.

5. We accept the aforesaid statement made by the learned counsel appearing for the Respondents on instructions.

6. Hence, it is not necessary to entertain this Petition. The Petition is, accordingly, disposed of.

7. All contentions on merits are kept open.

(REVATI MOHITE DERE, J)

(A.S.OKA, J)