

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application (CAO) No.1405 of 2015

In

Misc. Civil Application Stamp No.12033 of 2015 (for Review)

In

Writ Petition No.1251 of 2013 (D)

And

Misc. Civil Application Stamp No.12033 of 2015 (for Review)

In

Writ Petition No.1251 of 2013 (D)

(Shri Vijay s/o Narayanrao Admane v. Shri Vinod s/o Gajanan Borikar and others)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri P.S. Sahare, Advocate for Applicant.

Coram : R.K. Deshpande, J.

Date : 25th August, 2015

For the reasons stated in the application, the application is allowed. The delay caused in filing the review application, is condoned. The review application is heard on merits.

On 13-4-02015, this Court dismissed the petition holding that the Commissioner, Municipal Corporation, has in exercise of his discretionary powers regularized the illegal construction and hence the plaintiff is held not entitled to the relief of demolition of unlawful construction. It is now urged that while sanctioning the map, the condition was that the construction in marginal space shall be demolished. This was not the point raised when the petition was heard. Be that as it, the regularization has been granted by the

Commissioner, Municipal Corporation. Thus, no ground for review is made out.

The Misc. Civil Application for review is dismissed.

Judge.

Lanjewar