

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.312 OF 2016
IN
WRIT PETITION NO.10836 OF 2014**

Mr. Ajeet Shankarlal Bhatia .. Applicant.
V e r s u s
Ulhasnagar Municipal Corporation And Others .. Respondents.

Mr. Dnyaneshwar J. Deshmukh for the Applicant.
Mr. Jaiwant S. Chandnani for the Petitioner.
Mr. Suresh M. Kamble for Respondent Nos. 1 and 2.
Mrs. M.P. Thakur, AGP for Respondent No.4.

**CORAM : A.S. OKA &
C.V. BHADANG, JJ.**

DATE : 3 FEBRUARY 2016.

P.C. :

1 Not on board. Taken on board.

2 Heard the learned Counsel for the Applicant, who is the Respondent No.5 in the writ petition. After hearing the learned Counsel for the Applicant, on 16 October 2015, this Court for reasons recorded had granted interim relief. A prima facie finding has been recorded against the Applicant in paragraphs-3 and 4 of the said order. As the Applicant has been heard before granting the interim relief and as there is no material change in the circumstances, the prayer for vacating the interim relief is

hereby rejected. The second prayer is for fixing an early date of hearing on the ground that the construction has been prohibited. Going by the prima facie finding recorded by this Court, the Applicant has taken risk by making illegal construction. Hence, the prayer for fixing the date for early hearing of the Petition of the year 2014 is rejected. There are large number of 10 years old cases pending in this Court. The writ petition shall be heard in regular course.

3 The Civil Application is disposed of accordingly.

(C.V. BHADANG. J.)

(A.K. OKA, J.)