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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3668 OF 2014

Ramjan Kasam Shaikh

... Petitioner

Versus

Uran Municipal Council and Anr.

... Respondents

Mr. Shrikant Gavand i/by Ms. Shriya S. Jadhav for the Petitioner.

Mr. Niranjan A. Mogre for the Respondent No.1.

Mr. Uday P. Warunjikar i/by Mr. Sachin Keru Hande for the Respondent No.2.

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

DATE : 9th FEBRUARY, 2016

PC.

1 Heard the learned counsel appearing for the Petitioner, the learned counsel appearing for the first Respondent and the learned counsel appearing for the second Respondent. From the documents on record, it appears to us that the only impediment in the way of implementation of the notice dated 20th September, 2000 issued under Section 52 of the Maharashtra Regional and Town Planning Act, 1966 is the ad-interim order of status-quo passed by this Court in Appeal from Order preferred by the second Respondent against the order of the trial Court refusing to grant injunction. It is an admitted position that today

the said Appeal was disposed of. Ad-interim order has been extended till 29th February, 2016.

2 Hence, we dispose of the Petition by passing the following order :-

ORDER

- (i) As and when the prohibitory order which prevents the first Respondent from implementing the notice dated 20th September, 2000 is vacated, the first Respondent shall immediately take action of implementation of the said notice in accordance with law;
- (ii) In the event, there is a failure on the part of the first Respondent to take action in accordance with law, the Petitioner can move this Court by filing Civil Application in this disposed of Writ Petition;
- (iii) The Petition is disposed of on above terms.

(C.V. BHADANG, J)

(A.S. OKA, J)