

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

***APPEAL FROM ORDER (ST) NO. 6757 OF 2016
WITH
CIVIL APPLICATION (ST) NO. 6759 OF 2016***

Mr.Shantilal Narayanlalji Gola ... Appellant/applicant

v/s

The Municipal Corpn. Of Gr. Mumbai & ors. ... Respondents

***ALONG WITH
APPEAL FROM ORDER (ST) NO. 6761 OF 2016
WITH
CIVIL APPLICATION (ST) NO. 6762 OF 2016***

Smt.Aabidha Babu Shaikh ... Appellant/applicant

v/s

The Municipal Corpn. of Gr. Mumbai & ors. ... Respondents

Mr.J.N.Jayale for the appellant in both appeals and applicant in both civil applications.

Mr.A.V.Diwate for the respondent B.M.C. in both appeals.

CORAM: N.M. Jamdar, J.

DATED : 12 April 2016

P.C.:

In both these appeals, the learned counsel for the Appellants, at the outset, states that the Appellants are desirous of making an application to the Respondent Corporation for regularization of the structures and seeks

protection from demolition for some time to enable the Appellants to make appropriate applications. This argument presupposes that the Appellants admit that their structures are not legal.

If the Appellants make applications for regularization of the structures in question, within a period of four weeks from today, the structures in question will not be demolished for a period of eight weeks thereafter. After the applications are duly made by the Appellants within a period of four weeks as stated, the Corporation will decide the applications within a period of six weeks thereafter. Learned counsel for the Appellants states that the Appellants are in possession of the necessary documents required for making an application for regularization.

3 It is made clear that the applications so made, will be decided by the Corporation on their own merits and this Court has not observed anything as regard the merits of the regularization.

4 In the impugned order, the City Civil Court has found that the structures upto the ground floors are legal, and that observation is not disturbed.

5 Both the appeals accordingly stand disposed of in above terms with the civil applications.

(N. M. JAMDAR, J.)

