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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3579 OF 2016

Mr. Bhalchandra Dattatray Tandel

.. Petitioner

Vs.

1. CIDCO Ltd. And anr.

.. Respondents

Ms. Anita Wakchoure i/by Mr. Vijay R. Shinde for petitioner.

Mr. A. M. Kulkarni for respondent no.1.

Mr. S. V. Marne for respondent no.2.

CORAM: NARESH H. PATIL &
M. S. KARNIK, JJ.

NOVEMBER 28, 2016.

P.C.

1. The petitioner challenges a communicated dated 9/3/2016 (Exhibit "B") issued under Section 53(1) of the Maharashtra Regional Town Planning Act, 1966. Learned counsel appearing for petitioner submits that an application under Section 53(3) for regularization of the structure has been already filed. The copy of said application is not available today with the learned counsel.

2. Learned counsel appearing for the Corporation submits that

ground + one structure of a residential house has been erected on the plot, which is not owned by the petitioner. The property belongs to CIDCO and the petitioner's claim is that CIDCO is likely to offer alternate accommodation.

3. Without expressing any opinion, we observe that in case an application for regularization is already filed with the Corporation by the petitioner, same shall be dealt with by the Corporation in accordance with law and appropriate order be passed within four weeks. In case no such application is received by the Corporation, then appropriate decision be taken by the Corporation.

4. With these observations and directions, petition is disposed of. However, the status quo as on today in respect of subject structure be maintained for a period of four weeks.

(M. S. KARNIK, J.)

(NARESH H. PATIL, J.)