

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4372 OF 2013**

Purshottam Nariandas Khemchandani and ors.Petitioners
versus
Ulhasnagar Municipal Corporation and ors. ...Respondents

Ms. Anita Bhaktwani, advocate for the petitioners.
Mr. Vijay Patil, advocate for respondent Nos. 1 to 5.
Mrs. M. P. Thakur, AGP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATE : 23rd AUGUST, 2016.

P. C. :

The petitioners initially filed writ petition No.2078 of 2010 complaining that respondent Nos. 8 and 9 has carried unauthorized construction. The Division Bench of this Court (Coram : Khanwilkar and Sawant, JJ.) by an order dated 16th April, 2010, directed Ulhasnagar Municipal Corporation to take necessary steps after giving an opportunity of hearing to all concerned.

2. The competent authority accordingly disposed of the petitioners' complaint stating that the construction carried by respondent Nos. 8 and 9 is in accordance with the sanctioned plan. The petitioners thereafter filed an appeal on 26th June, 2011 under Section 47

of the Maharashtra Regional and Town Planning Act, 1966 before respondent No.6. Since the petitioners have availed the statutory remedy, we are not inclined to interfere in the instant petition. Suffice it to direct respondent No.6 to dispose of the petitioners' appeal under Section 47, if not already disposed of, as early as possible and preferably within a period of twelve weeks from the date of receipt of this order. Ordered accordingly.

5. In view of above, the writ petition is disposed of.

(ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]