

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7132 OF 2014

Mrs. Meena Manikrao Waghmare. .. Petitioner
Vs
Mira Bhayandar Municipal Corporation
and Others .. Respondents

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Shri Manoj Herit i/b M/s. Jay & Co for the Petitioner.
Mrs. M.P. Thakur, AGP for the Respondent No.3.
Ms. Pooja Singh i/b Shri N.R. Bubna for the Respondent No.1.
Shri Sandesh D. Patil for the Respondent No.2.
Ms. Anusha P. Amin for the Respondent No.4.
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CORAM : A.S. OKA & C.V. BHADANG, JJ
DATED : 1st MARCH 2016

PC.

1. The learned AGP has tendered across the bar a copy of the order dated 25th February 2016 passed by the State Government in the Appeals.

2. Perused the order dated 19th January 2015 passed in the present Petition. The said order shows that this Court observed that the prayer clauses (a) and (b) were already rejected by this Court in the earlier Writ Petition filed by the Petitioners. This Court observed that the present Writ Petition was entertained as the Appeal preferred by the contesting Respondents challenging the revocation of permission to use the land in question for Non-agricultural use was pending. Now that

the Appeal has been disposed of by the State Government, this Petition need not be kept pending. The result of the order passed by the Appellate Authority is that the original permission to use the land for Non-agricultural use has been restored. Now the remedy, if any, of the Petitioner is to challenge the order passed by the Appellate Authority if permissible in accordance with law.

3. Hence, subject to what is observed above, the Writ Petition is not entertained and the same is rejected.

4. Civil Application No.205 of 2016 does not survive and the same is disposed of.

(C.V. BHADANG, J)

(A.S. OKA, J)