

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11396 OF 2016**

Anant Vitthal Satpute ...Petitioner

Versus

State of Maharashtra & Ors. ...Respondents

...

Ms V.W. Jathar for the Petitioner.

Mrs. M.P. Thakur, AGP for Respondent -State.

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

DATED : 18th OCTOBER, 2016.

P. C. :

The learned counsel for the Petitioner seeks leave to withdraw the petition with liberty to file application before Managing Director/Chief Controller, Unauthorised Construction, CIDCO, under section 53 of the M.R.T.P. Act for regularisation of the subject structure. Leave with liberty as prayed for is granted.

2. The petition is dismissed as withdrawn.

3. In the event, such an application for regularisation is made by the Petitioner within a period of four weeks from today, the Managing Director /Chief Controller, Unauthorised Construction, CIDCO or any other authorised officer shall decide the same within a

period of eight weeks from the date of filing of such application for regularisation.

4. It is made clear that we have not gone into the merits of the matter and the Petitioner's application for regularisation shall be decided on its own merit and in accordance with law. All the points and contentions of the respective parties are expressly kept open. Till the decision on such application for regularisation, both the parties shall maintain status quo in respect of the subject structure as of today. In the event, decision on Petitioner's application for regularisation is adverse to the interest of the Petitioner, same shall not be implemented for a period of two weeks from the date of service thereof on the Petitioner.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)