

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
**WRIT PETITION NO. 12716 OF 2016**

Sahaj Jeevan Education Trust and anr. .. Petitioners

Vs.

Navi Mumbai Municipal Corporation and ors. .. Respondents

Mr.Avinash H. Fatangare, for the Petitioners.

Mr.S.V. Marne, for Respondents No. 1 to 3.

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

**23<sup>rd</sup> NOVEMBER, 2016**

**P.C. :**

. Learned Counsel for the petitioners challenges the notice dated 27/09/2016 issued by the Navi Mumbai Municipal Corporation which is annexed at Exhibit 'D'. Learned Counsel for the petitioners submits that notice is motivated probably at the instance of one of the employees who has resigned. Learned Counsel for the petitioners submits that after filing of the application dated 10/11/2016 for regularization of the subject structure under Section 53(3) of the Maharashtra Regional and Town Planning Act, 1966 (for short 'Act') with the

Commissioner, Navi Mumbai Municipal Corporation, the structures listed at serial Nos. 'a' & 'h' as described on page 8 of the Petition have been removed.

2. We direct Navi Mumbai Municipal Corporation to pass appropriate orders on the application filed by the petitioners under section 53(3) of the Act in case it was received by the Corporation. The application shall be disposed of by passing appropriate orders within 6 weeks from today.

3. All issues on merits are kept open.

4. Status-quo as on today in respect of the subject structure shall be maintained by the parties for a period of 6 weeks from today. In case, any adverse order is passed, the same shall not be given effect to for further period of 2 weeks from the date of communication of the order to the petitioner.

6. The Writ petition is disposed of.

**(M.S.KARNIK, J.)**

**(NARESH H. PATIL, J.)**