

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****SECOND APPEAL NO.647 OF 2014****ALONGWITH****CIVIL APPLICATION NO. 1535 OF 2014****Rajesh Vijaykumar Tathed****..... Appellant****VERSUS****Pimpri Chinchwad Municipal Corp.****..... Respondents**

Mr.S.A.Sawant for the Appellant.

Mr.D.R.More for the Respondents.

CORAM : R.D. DHANUKA, J.**DATE : 27th SEPTEMBER, 2016****P.C.**

Mr.Sawant, learned counsel appearing for the appellant on instructions states that he does not wish to press this second appeal and would apply for permission for retention under section 44 read with section 53(3) of the M.R.T.P.Act to the respondent authority within six weeks from today.

2. If any such application is made by the appellant with the authority within six weeks from today, the authority shall decide the said application in accordance with law within three months from the date of receipt of such application. The authority shall convey its decision to the appellant within two weeks from the date of taking such decision in accordance with law. It is made clear that this court has not expressed any views on the merits.

3. Interim protection granted by this court to continue for a period of four weeks from the date of communication of the decision by the respondent to the appellant.

4. The parties to act on the authenticated copy of this order.
5. In view of the withdrawal of the second appeal, civil application does not survive subject to the interim protection granted aforesaid.

[R.D. DHANUKA, J.]