

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 1402 OF 2016

Mr.J.P.Singh and others

.. Petitioners

Vs.

State of Maharashtra

through

Government public prosecutor and others .. Respondents

Ms.Sapna Khobragade a/w Ms.Gayatri Nayak i/b Mr.Rajesh
Khobragade, for the Petitioners.

Mr.V.S.Upadhyay, AGP for Respondent No.1.

Mr.H.C.Pimple, for B.M.C.

CORAM : A.S.GADKARI &

M.S.KARNIK, JJ.

DATE : 20th MAY, 2016

VACATION COURT

P.C. :

. Heard the learned Counsel for the petitioners and the
learned Counsel for the Corporation.

2. By the present Petition, the petitioners are challenging
the notice issued under Section 353 of the Mumbai Municipal
Corporation Act. The learned Counsel appearing for the Corporation
submitted that the said notice is issued to the petitioners for

constructing illegal structures in the premises.

3. The learned Counsel for the petitioners, after taking instructions from the petitioners, conceded to the fact that the said structures for which the notices were issued are constructed without obtaining proper legal permission from the Corporation and are unauthorised. She further submitted that the petitioners would file applications for regularization of the said structures within a period of 2 weeks from today before the Competent Authority. The said statement is accepted. The petitioners are permitted to file applications for regularization of the offending structures before the Competent Authority in the prescribed form within a period of 2 weeks from today. If, such applications are made by the petitioners, the Corporation is hereby directed to decide the same within a period of 60 days from the date of the receipt of the applications. The Corporation is hereby directed not to take any coercive action till the applications for regularization of the offending structures are decided by the Competent Authority of the Corporation. Petition is disposed of in the aforesaid terms.

(M.S.KARNIK, J.)

(A.S.GADKARI, J.)