

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2702 OF 2015**

Kamlakar Baburao Kolapte	...Petitioner
<i>Versus</i>	
The State of Maharashtra & 3 Ors.	...Respondents

Mr. Amarendra Mishra, *for the Petitioner.*
Mr. Milind More, AGP, *for Respondent Nos. 1 & 4.*
Ms. Kiran Bagalia, *for Respondent No. 2-MMRDA.*
Mr. H.C. Pimple, *for Respondent No. 3-BMC.*

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**
DATED: 17th February 2016

PC:-

1. Ms. Bagalia appearing on notice and after taking instructions from the Respondent No. 2 makes a statement that the Mumbai Metropolitan Regional Development Authority ("**MMRDA**") has issued notices to both the Petitioner and the alleged usurper. The notice is dated 16th February 2016. After satisfying itself that it is duly served, the MMRDA, on giving a reasonable opportunity to both the parties, will pass a speaking order through its Competent Official / Authority. That would be done within a period of four weeks from the conclusion of the hearing on 24th February 2016.

We accept each of these statements made by the learned Advocate, on instructions, as undertakings given to this Court.

2. We do not express any opinion on rival contentions and particularly the disputed questions of fact. We do not think that the Writ Petition is a remedy for the Petitioner more so once the above statements are made by the MMRDA.

3. In these circumstances, the Writ Petition is dismissed.

(G. S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)