

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 3000 OF 2016

Mr.Madhukant S/o.P. Jain .. Petitioner
Vs.
The State of Maharashtra and anr. .. Respondents

Mr.Aanand Mishra i/b Mr.A.M.Saraogi, for the Petitioner.
Ms.Vandana Mahadik, for Respondent No.2 - BMC.

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

07th DECEMBER, 2016

P.C. :

. The petitioner is aggrieved by the notice dated 30/09/2016 issued by the Corporation under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966 (for short 'Act'). In accordance with the Section 53(3) of the Act, the petitioner has statutory remedy of filing appropriate application which has not been preferred. The petitioner had filed a reply dated 22/10/2016 to the said application which is annexed at Exhibit 'B'. Learned Counsel appearing for the petitioner submits that within 4 weeks from today, appropriate application in accordance with section 53(3) of the Act will be

submitted by the petitioner.

2. Learned Counsel appearing for the Corporation submits that if such an application is received, the Corporation will deal with the same in accordance with law.

3. We direct the Corporation to deal with issue in accordance with the statement made as above. Status-quo as on today shall be maintained by the parties for a period of 6 weeks from today. In case, the Corporation passes adverse order against the petitioner, the same shall not take effect for a period of 2 weeks from the date of receipt of the order by the petitioner.

4. It is clarified that we have not expressed any opinion on merits.

5. Keeping all issues on merits open, Petition is disposed of.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)