

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.6280 OF 2015

Smt. Mangala Madhusudan Banhatti and ors

..vs..

State of Maharashtra, thr its Secretary, Urban Development Authority, Mantralaya,
Mumbai and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders
.....

Court's or Judge's Order

Shri A.R. Fule, counsel for the petitioners.
Shri A.P. Dubey, counsel for R-2 to 5.
Shri B.M. Lonare, AGP for R-1.

CORAM : B.P. DHARMADHIKARI &
KUM. I.K. JAIN, JJ.

DATED : JUNE 13, 2016.

The short grievance of learned counsel Shri A.R. Fule for the petitioners is, after service of notice under Section 53(1) of the Maharashtra Regional and Town Planning Act, 1966, the petitioners submitted a revised development plan after removing unauthorized portion. That plan has been rejected. Challenging that rejection, the appeal has been filed with respondent No.1 and it is still pending. Learned counsel submits that if the appeal is decided in time bound manner, the grievance of the petitioners shall be redressed.

Learned Assistant Government Pleader Shri B.M. Lonare for respondent No.1 submits that he is still

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awaiting instructions. However, if the appeal is still pending, efforts will be made to dispose it of, at the earliest. Learned counsel Shri A.P. Dubey for respondent Nos.2 to 5 does not have any objection, if hearing of appeal pending before respondent No.1 is expedited.

In this situation, if the appeal preferred by the petitioners before respondent No.1 is still pending, respondent No.1 shall make attempt to decide it finally, in accordance with law, within a period of three months, after communication of orders to it. Necessary opportunity of hearing shall be given to the parties to the appeal.

The writ petition is partly allowed and disposed of.

No costs.

JUDGE

JUDGE

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