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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.5363 OF 2017
IN
SECOND APPEAL NO.214 OF 2015**

Bapu s/o Rama Surwase

..APPLICANT

VERSUS

Goverdhan s/o Mahadu Lokhande
and ors.

..RESPONDENTS

Mr G.R. Syed, Advocate for applicant;
Mr S.V. Dixit, Advocate for respondent no.1

CORAM : N.W. SAMBRE, J.

DATE : 23rd June, 2017

ORAL ORDER

The application is not pressed as there is no sanction from the local planning authority to carry out construction. Civil Application thus stands disposed of.

2. Liberty is granted to the applicants to move fresh application after such sanction from the local planning authority is received, which will be accompanied by an undertaking that they shall not rent out suit premises and in case if the appellant succeeds in appeal, they shall remove all the structure, if so directed by this Court at their own costs, without damaging the original structure of the appellant.

(N.W. SAMBRE, J.)

amj