

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1766 OF 2016

Shri Premnath Madhavi. .. Petitioner
Vs
The Managing Director,
City and Industrial Development Corporation
Ltd. And Others. .. Respondents
—
Shri Rahul Thakur for the Petitioner.
Shri B.B.Sharma for the Respondent Nos.1 to 4.
—

CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ

DATED : 1ST JULY 2017

PC.

1. Head learned counsel appearing for the Petitioner and the learned counsel appearing for the first to fourth Respondents. Perused the affidavit-in-reply filed on behalf of the first to fourth Respondents by Shri Pritam Singh Rajput, the Controller of Unauthorized Construction of City and Industrial Development Corporation Ltd. In the reply, it is stated that the Petitioner vide Application dated 19th January 2015 has applied for regularization of the structure subject matter of the impugned notice. In the said affidavit-in-reply dated 22nd July 2016, it is stated that as the structure is newly constructed, it will not be covered by the existing policy.

2. The affidavit-in-reply shows that the Application dated 19th January 2015 is unnecessarily kept pending by the first to fourth Respondents.

3. Hence, we dispose of the Petition by passing the following order:-

ORDER :

- (a) The undertaking furnished by the Petitioner in terms of the order dated 10th February 2016 is accepted;
- (b) We direct the first to fourth Respondents to decide the Application dated 19th January 2015 within a period of two months from today. The said Respondents shall communicate the order passed on the said Application to the Petitioner within a period of two weeks from the date on which the Application is decided;
- (c) Till the date of communication of the order passed on the Application of the Petitioner, the ad-interim

relief granted on 10th February 2016 will continue to operate subject to the same conditions. In the event, the proposal is rejected, the ad-interim relief will continue to operate for a period of one month from the date on which adverse order is communicated to the Petitioner;

(d) The Petition is disposed of on above terms.

(SMT.VIBHA KANKANWADI, J)

(A.S. OKA, J)