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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3458 OF 2016

Vidya Pralhad Balghare

... Petitioner

vs.

State of Maharashtra & Ors.

...Respondents

Mr. Dhairyasheel Sutar for the petitioner.

Ms. Aparna Vhatkar, AGP, for the respondent nos.1, 4 & 5/State.

Mr. P. G. Lad for the respondent no.2.

CORAM : A.S.OKA, &

A. K. MENON, JJ.

DATE : 3RD APRIL, 2017

PC.

. The learned counsel appearing for the petitioner states that the application for NOC was made by the petitioner to the third respondent as there was a reservation imposed on the property subject matter of this petition for the benefit of the Maharashtra Housing and Area Development Board. The reservation was for developing the land for economically weaker section.

2. The learned counsel appearing for the petitioner, on instructions, states that in the revised sanctioned development plan which was sanctioned under the order dated 5th January, 2017 the said reservation has been deleted and therefore, the petitioner is not pressing for the said application. He submits that the application made by the

petitioner for making a mutation entry on the basis of the Gift Deed, a copy of which is annexed as Exhibit A is still pending and the same is not decided.

3. The learned AGP has no instructions about the pendency of the application for making an entry of the name of the petitioner on the basis of the Gift Deed.

4. Accordingly, we dispose of the petition by passing the following order:-

(i) In view of the statement of the learned counsel for the petitioner, the prayer clause (a) does not survive;

(ii) It will be open for the petitioner to make an application to 6th respondent for making an entry of her name in the Revenue records on the basis of the Gift Deed dated 23rd April, 2013 a copy of which is annexed as Exhibit A to the petition;

(iii) If such application is made, the 6th respondent shall decide the same in accordance with law within a period of two months from the date on which the application is made;

(iv) Petition is disposed of with the above directions.

(A. K. MENON, J.)

(A. S. OKA, J.)