

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.8014 OF 2015

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Prabha Uday Badadare for the Petitioner.
Shri Sudhir Prabhu for the Respondent Nos.1 and 2.
Shri Manish M. Pabale, AGP for the Respondent No.4.

—

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

DATED : 1ST JULY 2017

P.C.:

1. Heard learned counsel appearing for the parties. Perused the order dated 2nd August 2015. Learned counsel appearing for the first Respondent has placed on record the order dated 7th September 2015 passed by the Assistant Director of Town Planning, City of Sangli Miraj Kupwad Corporation rejecting the Application for regularization of the Petitioner. The learned counsel appearing for the Petitioner states that the Petitioner has not received

a copy of the said order. However, the learned counsel appearing for the first Respondent states that a copy of the said has been served upon the Petitioner on 8th September 2015.

2. The challenge in this Petition is to the notice issued under Sub-section (1) of Section 53 of the Maharashtra Regional and Town Planning Act, 1966 . The very fact that the Petitioner has applied for regularization shows that the Petitioner is accepting that the structure subject matter of the notice is unauthorized.

3. Hence, as a result of rejection of the Application for regularization, this Petition cannot be entertained. Accordingly, the Petition is rejected. However, this order will not preclude the Petitioner from challenging the order dated 7th September 2015. The ad-interim relief granted earlier to continue for a period of six weeks from today.