

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

**WRIT PETITION NO. 10059 OF 2017
WITH
CIVIL APPLICATION NO.2568 OF 2017
IN
WRIT PETITION NO.10059 OF 2017**

Sneha Construction ... Petitioner.

Versus

Pune Municipal Corporation
and others ... Respondents.

....

Mr. T.D. Deshmukh for the Petitioner.
Mr. Abhijit P. Kulkarni for Respondent No.1.
Mr. A.P. Vanarase, AGP for the State.
Mr. V.P. Sawant a/w Mr. Veerdhaval Kakade for the applicant in
CAW-2568/2017.
Mr. Amal Shinde, Executive Engineer, PMC present in the Court.

....

***CORAM : Smt. Vasanti A Naik &
Riyaz I. Chagla, JJ.***

DATE : 13th November, 2017.

P.C. :

By this writ petition, the petitioner challenges the order of the Corporation dated 12.06.2017, revoking the order sanctioning the plans for construction.

It is stated on behalf of the petitioner that the permissions for construction, as granted by the Corporation are revoked only on the ground that the measurement map of the T.I.L.R., furnished by the petitioner has been cancelled.

The learned counsel for the petitioner states that the petitioner has filed a second appeal against the order cancelling the measurement map. It is submitted that till the appeal filed by the petitioner against the order of cancellation of the measurement map is decided, the petitioner would not make any construction on the site in pursuance of the permission, that is revoked by the impugned order. It is stated that the petitioner would again request the Corporation to revive the permission, if the petitioner ultimately succeeds in the challenge to the cancellation of the measurement map drawn by the T.I.L.R.

Mr. Kulkarni, the learned Counsel for the Corporation submits on instructions from Mr. Amar Shinde, the Officer of the respondent-Corporation that in case the petitioner succeeds in the challenge to the cancellation of the measurement map, the petitioner may apply for permission and this application would be considered on the same terms and conditions. It is stated that the claim of the petitioner for revival of the sanction to the building plans would be then decided.

In view of the statements made by the learned counsel for the Corporation, the grievance the petitioner stands redressed. Hence, we dispose of the writ petition by accepting the statements made on behalf of the Corporation with no order as to costs.

With the disposal of the writ petition, civil application No.2568/2017 also stands disposed of.

(Riyaz I. Chagla J)

(Smt. Vasanti A Naik, J)