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

**WRIT PETITION NO. 9234 OF 2011
WITH
CIVIL APPLICATION NO. 312 OF 2014**

Dnyaneshwar Bapusaheb Vangade & Ors. ... Petitioner
Versus
The Collector, Dist. Satara & Ors. ... Respondents

Mr. M.M. Sathaye, for the Petitioner in WP No. 9234 of 2011 and for Applicant in CAW No. 312 of 2014.

Mr. A.P. Vanarase, AGP for Respondent Nos. 1 and 2.

Mr. P.B. Shah, with Mr. K.P. Shah, for Respondent No.3.

**CORAM: SMT. VASANTI A NAIK AND
MR. RIYAZ I. CHAGLA, JJ.
DATED: 30TH NOVEMBER 2017**

PC:-

Heard. The learned counsel for the petitioner had given a proposal to the respondent – municipal council on the last date of hearing that the petitioner would strictly develop the property as per the notification dated 10th May 2016. According to the petitioner, the petitioner would develop 70% of the area for a park and handover the developed park to the municipal council free of cost. The petitioner had proposed that the petitioner should be permitted to develop the remaining 30% of the area of the plot with full FSI and TDR, as is permissible as per the notification dated 10th May 2016.

It is further stated on behalf of the petitioner that 70% of the area would be developed into a park in 9 to 10 months and

thereafter the development in respect of 30% area would be commenced.

The learned counsel for the respondent municipal council states on instructions from Mr. Shankar Baban Gore, the Chief Officer, Satara Municipal Council who is present in the court today and who has sworn the affidavit which is tendered by the learned counsel for the municipal council in the court today, that the proposal of the petitioner is acceptable to the municipal council. It is submitted that as per the notification dated 10th May 2016, the petitioner may develop 70% of the area for the park and handover the same to the municipal council free of cost. It is submitted that the petitioner could then develop the remaining 30% area with FSI and TDR, as is available as per notification dated 10th May 2016.

Since the parties are agreeable to the aforesaid terms, we dispose of the writ petition by accepting the statements made on behalf of the parties which would be binding on the parties. Order accordingly. No costs.

With the disposal of the writ petition, the civil application also stands disposed of accordingly.

(RIYAZ I. CHAGLA J.)

(SMT. VASANTI A. NAIK, J.)