

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12208 OF 2015

Pramila Yashwant Vaiti.

..Petitioner.

Versus

The Managing Director, CIDCO and Others.

..Respondents.

Mr. Rahul Thakur for the Petitioner.

Mr. Sarthak Diwan i/b Mr. A. M. Kulkarni for Respondent No. 1 to 4.

Ms. K. R. Kulkarni, AGP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **December 12, 2017.**

P. C. :

1. Heard. By this petition, the Petitioner is challenging the notice dated 16th February 2015 issued by Respondent No.1 – CIDCO under section 54(1) of the Maharashtra Regional and Town Planning Act, 1966. Admittedly, after issuance of such notice, the Petitioner has filed representation for regularisation of the offending structure. In that view of the matter, this Court by the order dated 8th December 2015 accepted the undertaking given on behalf of the Petitioner and directed that action of demolition on the basis of the impugned notice shall not be taken.

2. The learned Counsel for the Petitioner submits and the learned Counsel for Respondent No.1 does not dispute that the Petitioner's representation for regularisation is still pending and is not

disposed of by the CIDCO.

3. In the circumstances, we deem it convenient to dispose of the writ petition by passing following order :

[1] Respondent No.1 – CIDCO is directed to decide the Petitioner's representation dated 30th November 2015, copy of which is annexed at Exhibit-D Page-19 to the petition, as expeditiously as possible and at any rate within the period of four weeks from the date of receipt of a copy of this order. Decision so taken shall be communicated to the Petitioner at the earliest possible.

[2] During the pendency and till the decision on said representation of the Petitioner, interim protection granted by this Court under the order dated 8th December 2015 shall remain in force.

[3] In case order passed on the said representation be adverse to the Petitioner, the said status quo shall remain in force for a further period of two weeks from the date of service of such order on the Petitioner.

[4] All points and contentions of the respective parties are kept open.

4. Writ petition stands disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]