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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION LODGING NO. 1027 OF 2016

1. Mr. Ravindra Vinayak Pimple and anr.

.. Petitioners

Versus

1. The Municipal Corporation of Gr. Mumbai &  
ors.

.. Respondents

Dr. Ramdas Sabban for petitioners.

Mr. A. Y. Sakhare, Senior Advocate a/w Mr. Joel Carrlos a/w Ms. Vandana Mahadik for MCGM.

Mr. Amit Shastri, AGP for State.

CORAM: NARESH H. PATIL &  
M. S. KARNIK, JJ.

JANUARY 18, 2017.

P.C.

1. Learned counsel appearing for the petitioners and the learned Senior Counsel appearing for the Corporation submit that parties have reached agreement in respect of offending structures on the 44ft. D.P.Road at Navalkarwadi, Jogeshwari (East), Mumbai. The officers of the Corporation are present in court. Under the signatures of the parties, Minutes of Order dated 18/1/2017 is drafted and placed before this court today, which is taken on record and marked "X" for identification. Both the

learned counsel appearing for the respective parties submit that the petition can be disposed of in terms of Minutes of Order.

2. The Minutes of Order, dated 18/1/2017, read as under :-

“1. The 13.40 mtr. i.e. 44 ft. wide D. P. Road, at Navalkarwadi, Jogeshwari (East), Mumbai, the structures occupied by the petitioners – Shri Ravindra Pimple & Shri Dilip Jain are falling in the alignment of 13.40 mtr. D.P. Road. The structure bearing Tikka No.26, 27 & 29 of Shri Pimple is approximately of 100 sq.mtrs. out of which approximately 50% structure is affected by said D. P. Road.

2. The structures of the petitioner No.2 Mr. Dilip Jain admeasuring approximately 20.8 sq.mtrs. bearing Tikka No.259/91 is fully affected in the D. P. Road alignment.

3. The respondent Municipal Corporation shall grant all the rehabilitation benefits under the Kurar pattern to the Petition No.1 Shri Ravindra Pimple. The Respondent Municipal Corporation shall grant the necessary construction permission of rehabilitation under said Kurar pattern at said Tikka No. 26, 27 & 29 to the petitioner No.1 Shri Ravindra Pimple within a period of two weeks. The petitioner No.1 Shri Ravindra Pimple shall remove his said structures thereafter within a period of one month.

4. Similarly the respondent Municipal Corporation shall grant all the rehabilitation benefits under the Kurar pattern to the Petitioner No.2 Shri Dilip Jain. The Respondent Municipal Corporation shall grant the necessary construction permission of rehabilitation under said Kurar pattern at one of the two alternative sites at CTS No. 259(pt)/259/26 to 41 & 259/57 to 91 of village Bandivali, Andheri (E), Mumbai, to the petitioner No.2 Shri Dilip Jain within a period of two weeks. The petitioner No. 2 Shri Dilip Jain shall remove his said affected structures thereafter within a period of one month.”
3. Petition is disposed of in terms of the Minutes of order.

**(M. S. KARNIK, J.)**

**(NARESH H. PATIL,J.)**