

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 2922 OF 2017

Vinay Mandani Petitioner

Vs.

State of Maharashtra and others Respondents

Mr. Nigel Quraish i/b Mr. Dhananjay B. Deshmukh for the petitioner
Ms. Sheetal Mane for Municipal Corporation of Greater Mumbai
Mr. Hemant Haryan AGP for the State.

**CORAM : SMT. VASANTI A. NAIK,
RIYAZ I. CHAGLA, JJ.**

DATE : DECEMBER 5, 2017.

P.C.

By this writ petition, the petitioner has sought a direction against the State Government to consider the appeal filed by the petitioner for regularisation under section 47 of the Maharashtra Regional and Town Planning Act. The petitioner has also sought an order for continuing the protection granted to the petitioner by the order dated 25/09/2017 in writ petition (L) no. 1412 of 2017.

It appears that the petitioner had filed writ petition (L) no. 1412 of 2017 and in the said petition this Court had after observing that the petitioner has an alternate efficacious remedy of filing an appeal under section 47 of the Maharashtra Regional and Town Planning Act before the State Government disposed of the writ petition by continuing the ad-interim relief for a period of 4 weeks from 25/09/2017. Since the appeal filed by the petitioner was not decided by the State Government and the ad-interim relief was expiring on 23/10/2017,

the present petition was filed for a direction against the State Government to decide the appeal expeditiously and to continue the ad-interim relief till the appeal is decided.

It is stated on behalf of the petitioner that the hon'ble Minister has heard the petitioner in the appeal on 25/10/2017 but a decision is not rendered till date.

The learned Assistant Government Pleader states that the appeal filed by the petitioner would be decided as early as possible.

In view of the statements recorded herein above, we dispose of the writ petition with a direction against the State Government to decide the appeal filed by the petitioner within 4 months, if not decided. It is needless to mention that the ad-interim relief would continue to operate till the appeal of the petitioner is decided. Order accordingly. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A. NAIK, J.]