

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10870 OF 2018

Dhonduram Chander Tare & Anr. Petitioners

VERSUS

**The Mumbai Metropolitan Region
Development Authority (MMRDA) Respondent**

Mr. Manoj J. Bhatt, a/w. Mr. G. J. Jain for the Petitioners.

Ms. Kiran Bhagalia, i/b. Ms. Chitra Phadke for the Respondent no.3.

CORAM : R.D. DHANUKA, J.

DATE : 11th OCTOBER, 2018

P.C.

Learned counsel for the petitioners strongly placed reliance on section 52A(1) of the Maharashtra Regional and Town Planning Act, 1966, Maharashtra Town Planning (Compounded Structures) Rules, 2017 and the notice dated 22nd February, 2018 issued by the learned Metropolitan Commissioner of the respondent regarding declaration of the unauthorized structure as compounded structure by levying compounding charges.

2. In view of the aforesaid provisions, the respondent is directed to consider the application of the petitioner for regularization made by the petitioner on 8th September, 2017 within four weeks from today after giving personal hearing to the petitioners. The order that may be passed by the respondent shall be communicated to the petitioners within one week from the date of passing such order.

3. The *Ad-interim* protection granted by this court to continue for a period of two weeks from the date of communication of such order that would be passed by the respondent if the same is adverse against the petitioners.

4. The petitioners shall co-operate with the respondent in deciding the application for regularization within the time prescribed and shall not take any unnecessary adjournment.

5. Writ petition is disposed of in the aforesaid terms. There shall be no order as to costs.

6. The parties to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]