

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5035 OF 2016

Shri. Lahu Manik PatilPetitioner
versus
The Managing Director, City and Industrial
Development Corporation Ltd. and ors.Respondents

Mr. Rahul Thakur, advocate for the petitioner.
Mr. B. A. Sharma, advocate for the respondent Nos. 1 to 4.

**CORAM : RANJIT MORE &
SMT.ANUJA PRABHUDESSAI, JJ.**

DATE : 10th JANUARY, 2018.

P. C. :

Heard learned counsel for the petitioner and respondent Nos. 1 to 4 respectively.

2. The petition is filed challenging the notice dated 4th December, 2015, issued by CIDCO under Section 54(1) of the Maharashtra Regional and Town Planning Act, 1966. Admittedly, the petitioner earlier had demolished the existing structure and constructed new RCC structure i.e. ground plus two floors in the year- 2015. It is not in dispute that the petitioner has not obtained any permission from the planning authority. That apart, CIDCO by filing an affidavit has specifically stated that at present, prayer for regularization can be made only in respect of construction made prior to the year-2007. Learned counsel for the CIDCO stated that there is no policy for regularization of unauthorized construction made after the year-2007.

3. In the present case, the construction is made subsequent to the year-2007. There is no policy of the Corporation to regularize the same. In these circumstances, we are not inclined to entertain the petition. The petition is devoid of any merit and the same is, accordingly, dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]