

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 4189 OF 2016**

Dinesh Nathu Patel & Ors.

.. Petitioners

v/s.

State of Maharashtra & Ors.

..Respondent/s

Mr. A.S.Rao i/b. M.M.Pabale for the Petitioner

Mrs. M.P.Thakur, AGP for the Respondent-State.

**CORAM : RANJIT MORE &  
ANUJA PRABHUDESSAI, JJ.  
DATED : APRIL 27, 2018**

**P.C. :**

1. Heard. By this petition, the petitioner has challenged the Order dated 17.1.2016 passed by the SDO, Satara, whereby the SDO, Satara directed the petitioner to immediately stop the construction over the subject land bearing Survey No. 306A and 304 B, Survey No.16 area 441 sq. meters at Kodoli, Taluka Satara till revised building plans are approved.
2. Mr. Thakur, the learned AGP, upon instructions, makes a statement that the impugned order is passed as there is dispute between the

petitioner and the respondent nos.7 and 8, and in this regard civil suits are pending. Mr. Rao, however, submits that there is no interim order passed in the suit.

3. In our opinion, in the absence of any interim order in the said suit, the respondent no.5 is not precluded from processing the revised building plan. We accordingly dispose of this petition by directing the respondent no.5 to process the revised building plan filed by the petitioner in respect of the subject land, and take necessary decision in accordance with law as expeditiously as possible, and preferably within a period of 60 days from the date of receipt of this order.
4. Ld. Counsel Mr. Rao, gives assurance on behalf of the petitioner that unless the revised permission is received, the petitioner will not commence any construction on the subject land. Statement accepted.
5. In the light of the above, the petition is disposed of.

**[ANUJA PRABHUDESSAI, J.]**

**[RANJIT MORE, J.]**