

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.4791 OF 2018**

Suresh Ramdev Yadav

..Petitioner.

v.

The State of Maharashtra & Others

..Respondents.

Mr.Hansharaj H. Jagtap, for the Petitioner.

Mr.Manish M. Patil, AGP for respondent No.1.

Mr.Rohit P. Sakhadeo, for respondent Nos.2 and 3.

**CORAM : A.S. OKA &**  
**RIYAZ I. CHAGLA, JJ.**

**DATE : 17<sup>th</sup> APRIL, 2018**

**P.C.**

. Not on board taken on board.

1 Heard learned Counsel appearing for the Petitioner, learned Counsel appearing for 2<sup>nd</sup> and 3<sup>rd</sup> respondents and learned AGP for the 1<sup>st</sup> respondent. Learned Counsel appearing for the Petitioner states that the Petitioner wants to apply for regularization. We accept the said statement. The fact that the Petitioner has agreed to apply for regularization shows that the Petitioner has accepted the correctness of the impugned order and the fact that the structure subject matter of this Petition is illegal.

2 In view of the aforesaid statement, we pass the following order :

1] It will be open for the Petitioner to make an application for regularization to the appropriate authority of the 2<sup>nd</sup> respondent in prescribed form and by prescribed mode within a period of 6 weeks from today through an Architect. If such an application is made within the stipulated period of 6 weeks from today, appropriate decision shall be taken thereon by the 2<sup>nd</sup> respondent within a maximum period of 6 weeks from the date of filing of the application;

2] The order passed on the application be communicated to the Petitioner's Architect. Till the date of communication of the order to the Petitioner's Architect, action of demolition shall not be taken on the basis of the impugned order. If the application is rejected, action of demolition shall not be taken for a period of 4 weeks from the date the order is served to the Petitioner's Architect;

3] On the failure of the Petitioner to apply for regularization within the stipulated period of 6 weeks from today, it will be open for the 2<sup>nd</sup> respondent to demolish the structure without any further notice to the Petitioner;

4] We have made no adjudication on the merits of the prayer for regularization;

5] Petition is disposed of on above terms.

**(RIYAZ .I.CHAGLA, J)**

**(A.S. OKA, J)**