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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4865 OF 2018
WITH
CIVIL APPLICATION NO.1027 OF 2018

Bharat Mrulidhar Sonawane ...Petitioner
vs.
The State of Maharashtra & Ors. ...Respondents

Mr.Bhooshan Mahadik for the Petitioner
Mr.G.S.Godbole a/w Mr.D.S.Patil for the applicant
Mr.Nikhil Sakhardane Spl.Counsel for the respondent
No.1
Mr.Abhijit M. Aalagule for respondent No.2
Mr.Pralhad Paranjape for respondent No.4

CORAM : A.S.OKA, &
RIYAZ.I.CHAGLA, JJ.
DATE : APRIL 26, 2018

P.C.:

. Not on board. Taken on board.

1 By earlier order we had called upon the learned AGP to produce relevant file containing the decision dated 17th April 2018. We have perused the file.

2 In normal course, it was our duty to make observations about the shocking manner in which the order has been passed by the State Government preventing a Municipal Corporation from exercising its statutory powers as a planning Authority to deal with illegal constructions. However, the learned counsel representing the State Government has tendered across the bar a letter dated 26th April

2018 addressed to the Municipal Commissioner of the Kolhapur Municipal Corporation by the Urban Development Department of the State Government. It records that temporary stay granted under the order dated 17th April 2018 stands vacated. The letter is taken on record and marked 'L-2' for identification. Hence, the substantive prayer (b-1) does not survive.

3 As regards prayer clause (b) is concerned, the learned counsel for the Kolhapur Municipal Corporation states that notices have been issued for demolition in respect of 19 structures which have been constructed in breach of the order of status quo. In view of this statement, as of today, it is not necessary to entertain prayer clause (b).

4 Hence, in view of what is observed above, nothing survives in this petition and the same is disposed of. Pending civil application does not survive and the same is disposed of.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)