

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2027 OF 2018
IN
WRIT PETITION NO. 6267 OF 2007

Shri Hero K. Dularamani
since deceased through Lrs.
1A. Eula Hero Dularamani & ors.

.. Applicants/
Org. Respdt. Nos.3A & 3B

In the matter between

Mrs. Shakuntala Hingorani

.. Petitioner

Vs.

Municipal Corporation of City of Pune
and ors.

.. Respondents

Mr. Makarand Adkar I/by Mr. Chaitanya Nikte for applicants.
Mr. A. V. Anturkar, Sr. Advocate I/by Mr. S. B. Deshmukh for original petitioner.
Mr. R. S. Khadapkar for respondent nos.1 and 2 – Corporation.
Mr. M. M. Pabale, AGP for State.
Mr. V. H. Narvekar for respondent no.8.
Mr. Pravartak Pathak for respondent no.10.
Mr. Ranjit Shinde for respondent no.9.

CORAM: NARESH H. PATIL, ACTING CJ. &
G. S. KULKARNI, J.

OCTOBER 19, 2018.

P.C.

1. Heard the learned counsel for the parties. Perused the Development Control Rules for Pune Municipal Corporation, annexed at Page 94 of the writ petition, order dated 29/10/2007 passed by this court in Writ Petition No. 6267 of 2007 and relevant records placed before us. The learned counsel for the applicants raised issues in respect of the locus of the original petitioner.

2. In the facts, following directions are issued :-

(a) The revised building proposal submitted by the applicants for construction of recreation ground shall be dealt with by the Corporation in accordance with the documents/material placed before it and the Development Control Rules. The Corporation shall take the decision within four weeks without being influenced by the order dated 29/10/2007, which is in operation as on today and communicate the same to the parties.

3. Civil Application is disposed of accordingly.

G. S. KULKARNI J.

ACTING CHIEF JUSTICE