

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9077 OF 2012

Swami Samarth Shikshan Sanstha. ... Petitioner.
V/s.
Kalyan Dombivali Municipal Corporation
and others. ... Respondents.

Mr.U.B.Nighot for the petitioner.
Mr.A.S.Rao for respondent No.1.
Mr.Manish M. Pabale, AGP for respondent Nos.2 to 4.
Mr.PK.Dhakephalkar, Senior Advocate i/b. Girish Paryani
for respondent No.5.

CORAM : A.S.OKA AND P.N.DESHMUKH, JJ.

DATE : 12th February 2018.

P.C.:

Perused the order dated 5th May 2017 passed by this Court and the statement of the petitioner recorded in paragraph-1 of the said order.

2. Today, the learned AGP has placed on record a letter dated 7th February 2018 addressed by the Revenue and Forest Department of the State Government to the learned Government Pleader. It records that on 11th January 2018, the State Government has issued a direction to the Kalyan Dombivali Municipal Corporation to submit a proposal for

initiating an action under section 37(1) of the Maharashtra Regional and Town Planning Act, 1966. It is further stated in the said letter that subject to the action being taken in terms of the direction dated 11th January 2018 issued by the State Government, the order dated 6th August 2012 can be implemented. We accept the statement made in the letter dated 7th February 2018 which is taken on record and marked "L-1" for identification.

3. Hence, in the light of the statement of the petitioner recorded in the order dated 5th May 2017 and in the light of the assurance contained in the letter dated 7th February 2018 (marked as "L-1"), at this stage, this petition need not be entertained and, accordingly, the same is disposed of.

(PN.DESHMUKH, J.)

(A.S.OKA, J.)