

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

WRIT PETITION NO. 14113 OF 2017

Sahinder Pritamsingh Khanuja
Through Their Constituted Attorney
And Ors.

...Petitioners

Versus

The State Of Maharashtra
Through GP And Anr.

...Respondents

Mr.Shardul Singh i/b Robin Thomas Georgue for the Petitioners.

Mrs.R.A. Salunkhe, AGP for Respondent No.1.

Mr.Prashant Kamble i/b Mr.A.S. Rao for Respondent No.2.

**CORAM : A.S.OKA &
P. N. DESHMUKH, JJ.**

DATED : 17th JANUARY 2018

P.C.

1. Not on board. Taken on board.

2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the second respondent. The learned counsel appearing for the second respondent on instructions states that the second respondent shall withdraw the letter dated 09th August 2017 (Exh.'D' to the petition).

3. The learned counsel appearing for the petitioners states that the petitioners are not pressing prayer (b) and they are pressing prayer (c).

4. Accordingly, we dispose of the petition by passing following order:-

ORDER

(a) Prayer (a) does not survive in view of the aforesaid statement of the learned counsel appearing for the second respondent;

(b) Prayer (b) is not pressed;

(c) We direct the appropriate Officer of Kalyan-Dombivli Municipal Corporation to decide the application dated 30th September 2016 made by the petitioners for grant of development permission as expeditiously as possible and in any event within a period of one month from today;

(d) We make it clear that the application shall be decided in the light of judgment and order dated 23rd January 2014 in Writ Petition No.3971 of 2012 and that the Municipal Corporation shall not refuse to give effect to the said judgment on the ground that the gazette publication notifying the lapse of reservation

has not been made by the State Government.

(e) The petition is disposed of on the above terms.

(P.N. DESHMUKH, J)

(A.S.OKA, J.)