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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
WRIT PETITION NO. 781 OF 2017

Mr. Rizwan s/o. Anwer Baig	... Petitioner
Vs.	
The State of Maharashtra and Ors.	... Respondents

Ms. Pooja Joshi i/b. Mr. A.M. Saraogi for the petitioner.
Mr. Amit Shastri, AGP for the respondent- State.
Ms. Vandana Mahadik for the Respondent – BMC.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 30th July 2018.

P.C. :

Not on board. Taken on board.

1 The learned counsel appearing for the petitioner seeks fixing of early date for admission. The only substantive prayers in this petition under Article 226 of the Constitution of India read thus :-

“(a) that this Hon'ble Court be pleased to pass appropriate writ, order and direction permitting the Petitioner to submit revised Plans in respect of the Building known as Paradise Heights consisting of ground plus 11th floors situated on the plot of land bearing CTS No.1/206 (pt) within a period of 6 weeks from the date of passing of the order and subject to submission of the same, the Respondent No.2 be directed to consider and decide the said Plans in accordance with law within such period as this Hon'ble Court may deem fit and proper and till such time and for a period of 2 weeks thereafter, in case, if any adverse order is passed against the Petitioner, Respondent No.2 be restrained from taking any action of demolition in respect of the building situated at Swami Smarth Road, Near Green Park, Millat Nagar, Andheri (W), Mumbai – 400 053 in any manner whatsoever.

- (b) That the pending the hearing and final disposal of present Petition that this Hon'ble Court be pleased to restrained the Respondent No.2 from taking any action of demolition present notice dated Under Section 488 of MMC act in respect of building known as Pradise Heights situated at Swami Smarth Road, Near Green Park, Millat Nagar, Andheri (W), Mumbai – 400053 in any manner whatsoever.”

2 There is nothing on record to show that the petitioner was prevented from applying for regularisation or from submitting the revised plans for sanction. There is no substantive challenge in this petition to any notice of demolition.

3 Therefore, as of today, there is no reason to entertain this petition under Article 226 of the Constitution of India. Accordingly, the petition is disposed of.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)