

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.954 OF 2018**

Vivan Corporation and others ..Petitioners.

v.

Mumbai Municipal Corporation & others ..Respondents.

Mr. Arshil Shah for the Petitioners.

Ms.Pallavi Thakar, for the respondent/MMC.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 17th APRIL, 2018

P.C.

1 Heard learned Counsel appearing for the Petitioners and the learned Counsel appearing for the respondents. It is not in dispute that in respect of structures which are subject matter of impugned orders at Exh.A to W and show cause notices at Exh.X to YY, the present Petitioners have applied for regularization and said applications are pending.

2 The very fact that the Petitioners have applied for regularization shows that the subject structures/work which is the subject matter of the impugned orders and impugned notices have been accepted as illegal by the Petitioners. In view of the pendency of the applications for regularization and in view of the fact that the Petitioners have accepted that the subject structures/subject works are illegal, we dispose of the Petition by passing the following order :

ORDER

1 We direct the 1st respondent Municipal Corporation to decide the pending applications as expeditiously as possible and in any event within a period of 60 days from the date of filing of the applications. The

orders passed on the applications be communicated to the Petitioners' Architect. Till the date of communication of the orders to the Petitioners' Architect, no further steps shall be taken on the basis of the impugned orders and impugned show-cause notices;

2 If the applications are rejected, the limited protection as above will continue to operate for a period of 3 weeks from the date on which the orders are communicated to the Petitioners' Architect. We make it clear that we have made no adjudication on merits of the pending regularization applications;

3 The Petition is disposed of on above terms.

(RIYAZ .I.CHAGLA, J)

(A.S. OKA, J)