

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LDG.) NO. 1687 OF 2018

Indira Classic Co-operative Housing Society Ltd. ... Petitioner.

V/s.

Municipal Corporation of Greater Mumbai. ... Respondents.

Mr.Kalpesh Joshi with Mr.Nimeet Sharma i/b. Kalpesh Joshi
Associate for the petitioner.

Ms.K.H.Mastakar for the respondent- MMC.

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

DATE : 6th June 2018.

P.C.:

Not on board. Taken up on board.

2. Perused the order dated 17th May 2018. It appears that on 22nd May 2018, the application for regularization made by the petitioner has been rejected by the Mumbai Municipal Corporation. The remedy of the petitioner is to challenge the said order by invoking section 47 of the Maharashtra Regional and Town Planning Act, 1966.

3. Accordingly, we dispose of this petition by granting liberty to the petitioner to prefer an appeal. To enable the petitioner to prefer appeal and to move the State Government for necessary orders, we direct that no action shall be taken on the basis of the impugned notices dated 22nd March 2018 and 9th May 2018 for a period of three months from today. All contentions on merits are kept open.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)