

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

WRIT PETITION (LDG.) NO. 2046 OF 2018

M/s.G.K.A.Hotels Private Limited. ... Petitioner.
V/s.
Mumbai Municipal Corporation and another. ... Respondents.

Mr.Pradeep J. Thorat for the petitioner.
Ms.K.H.Mastakar for the respondent- MMC.

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

DATE : 20th June 2018.

P.C.:

Not on board. Taken up on board.

2. A notice under sub-section (1) of section 53 of the Maharashtra Regional and Town Planning Act, 1966 (for short “MRTP Act”) was issued by the respondent- Municipal Corporation. The description of the unauthorized development subject matter of the said notice is mentioned in the schedule. After hearing the parties, on 12th June 2018, the Designated Officer passed an order calling upon the persons to whom the said order was addressed to discontinue the use of the structure subject matter of notice dated 12th September 2017 and remove/restore the unauthorized work mentioned in the notice to its original position. The learned counsel appearing for the petitioner, on

instruction, states that the petitioner is not concerned in any manner with the unauthorized construction and change of user mentioned in the Schedule to the notice dated 12th September 2017. The order dated 12th June 2018 is confined to the said schedule.

3. We are not entering into the question whether the statement made by the learned counsel appearing for the petitioner is factually correct. But going by the case made out by the petitioner that he is not concerned with the unauthorized construction and change of user subject matter of the impugned notice, there is no reason to entertain this petition and, accordingly, writ petition is disposed of.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)