

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3244 OF 2012**

Kapstone Construction Private Limited ...Petitioner
Versus
Municipal Corporation of City of Thane & Ors ...Respondents

**WITH
WRIT PETITION NO. 9719 OF 2012**

Siddhi Krish Developers ...Petitioner
Versus
The Municipal Corporation of City of Thane & Ors ...Respondents

**Mr Milind Sathe, Senior Advocate, with Mr Bhushan Deshmukh,
Mr Deepu Jojo & Mr Viren Manadhle, for the Petitioner in
WP/3244/12.**

**Mr SM Oka, with Mr Sagar Joshi, i/b Pranil Sonawane, for the
Petitioner in WP/9719/12.**

**Ms Neha Bhide, “B” Panel Counsel, for the Respondent-State in both
matters.**

**Mr Ashok Khandekar, Section Officer (UD-12), Urban Development
Department, present.**

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ
DATED: 19th June 2019**

PC:-

1. On 11th June 2019 we passed the following order:

“1. On 10th April 2019, the following order was passed on these petitions:

“Let Ms Thakur as also Mr. Bubna take instructions on a set of documents emanating from the Thane Municipal Corporation, copies of which are placed on record by Mr. Sathe.

2. These documents are taken on record and marked “X” and “X-1” for identification.

3. Ms Thakur says that presently she has no instructions.

4. Stand over to 11th June 2019 on the Supplementary Board.”

2. We are surprised that even today a request for adjournment is made on behalf of the State Government and none is present to give any instructions to the learned AGP.

3. In these circumstances, we direct the Principal Secretary in the Department of Urban Development to depute a responsible official to remain present in this Court with the original record.

4. Let him remain present on 19th June 2019, else we will pass final orders on these petitions.

5. Place these writ petitions on 19th June 2019 under the caption “for passing final orders”.”

2. After that order, the matter was posted today and we are happy to note that the State Government has accepted the proposal of the Thane Municipal Corporation forwarded as per letters dated 22nd February 2019 and 15th March 2019.
3. Since this proposal is now accepted by the State Government, the remaining formality of issuing the necessary directions under Section 37 of the Maharashtra Regional and Town Planning Act 1966, if necessary, be concluded within two weeks from the date of communication of this order.
4. This satisfies the grievances of both sides.
5. The Petition is disposed of.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)