

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6772 OF 2016

Smt. Geeta Chandrakant Patil

...Petitioner

V/s.

1. The Managing Director,
CIDCO and Ors.

... Respondents

Mr. Sanket Thakur, Advocate for the petitioner.

Mr. A.M.Kulkarni, Advocate for CIDCO.

Mr. Y.S. Khochare, AGP for State.

**CORAM : B.P. DHARMADHIKARI, &
SANDEEP K. SHINDE, JJ.**

Tuesday, 15th October, 2019.

P.C. :

1. Heard learned Counsel for respective parties.
2. This Court has still not issued notice in the matter. However, the learned APP has been appearing for respondents no.5 to 9.

3. Notice served upon petitioner dated 26th August, 2015 forms cause of action. Respondent no.3 has informed petitioner that construction undertaken is contrary to building permission. After receipt of this notice, under Section 54(1) of the Maharashtra Regional Town Planning Act, 1965 the petitioner claims that he has moved an application on 11th February, 2016 for regularisation of that structure.

4. This Court has not issued formal notice to respondents no.1 to 4 after the petition came to be filed. With the result, respondents no.1 to 4 are not aware of the petition. Counsel for petitioner is also not aware of present state of affairs.

5. Standing Counsel for respondents no.1 to 4 is present in Court and we have therefore asked him to waive notice for those respondents.

6. We find that interest of justice can be met with by directing petitioner to appear before

respondent no.3 with copy of this order on 25th November, 2019. Respondent no.3 shall thereafter proceed further in the matter in accordance with law.

7. With these directions and keeping all contentions open, we dispose off the Writ Petition.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)