

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.5777 OF 2017

VINOD RAMNATH RAO

....PETITIONER

V/s.

**CITY & INDUSTRIAL DEVELOPMENT
CORPORATION & ANR.**

....RESPONDENTS

Mr. Kunal Chheda a/w. Mr. Chetan Mhatre I/by. Utangale & Co.
for the Petitioner.

Mr. A.M. Kulkarni for Respondent No.1.

Mrs. K.R. Kulkarni, 'B' Panel Counsel for Respondent Nos.2 and 3
State.

CORAM : R. M. BORDE & N. J. JAMADAR, JJ.

DATE : 03rd JUNE, 2019

PC :

1. The Petitioner contends that in view of the restrictions imposed under the Notification dated 10th January 2013 appointing CIDCO as a Planning Authority, the Petitioner is not in a position to develop the property belonging to him. Needless to record that the property belonging to the Petitioner is a part of the schedule appended to the Notification dated 10th January 2013 and is amenable to the restrictions imposed therein. The

Petitioner contends that in fact he has approached the CIDCO Authority, however, no cognizance of the application has been taken.

2. The learned Counsel appearing for the respondent CIDCO disputes the contention and informs that the Petitioner has not at all tendered any application seeking development permission. Without entering into the controversy raised, we deem it appropriate to permit the petitioner to tender an application seeking permission to carry out development. If the Petitioner tenders an application for development in the prescribed proforma together with necessary documents and requisite form within a period of eight weeks from today, Respondent No.1 shall take appropriate decision in observance of the procedure prescribed in that behalf, as expeditiously as possible preferably within a period of eight weeks from the date of application.

3. In view of the directions as above, the Writ Petition is disposed of.

(N. J. JAMADAR, J.)

(R. M. BORDE, J.)