

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 650 OF 2016
WITH
CIVIL APPLICATION NO. 1306 OF 2016

Sou.Vidhyadevi Dattakumar Birajdar and anr. .. Appellants
Vs.
Solapur Municipal Corporation and anr. .. Respondents

Mr.Ashok B.Tajane, for the Appellants.
Mr.M.S Mulla h/f Mr.Khairdi, for the Respondents No. 1 & 2.

CORAM : M.S.KARNIK, J.

DATE : 19th JULY, 2019

P.C. :

. Learned Counsel for the appellants on written instructions of the appellants seeks leave to withdraw this Appeal. He states that he would file an application for regularization under the provisions of Section 53 of the Maharashtra Regional and Town Planning Act, 1966. In this view of the matter, the Appeal is allowed to be withdrawn.

2. Learned Counsel for the appellants on instructions of the appellants states that the application for regularization would be made to the Solapur Municipal Corporation within a period of 2 weeks from today. The said application for regularization if made within a period of 2 weeks from today shall be considered by the Corporation on its own merits and in accordance with law.

3. After making the application for regularization, if the Corporation finds certain deficiency in the proposal, the necessary intimation be given to the appellants to rectify the defects in the proposal. The defects to be rectified and compliances to be made by the appellants within 4 weeks thereafter. After the compliances are made within the time granted, the Corporation to decide the application on its own merits and in accordance with law.

4. If an application for regularization is made within a period of 2 weeks, till the application is decided, the

Corporation not to proceed against the Suit structure. Copy of the letter by the appellants addressed to learned Counsel Shri Tajane dated 18/07/2019 is taken on record and marked 'X'.

5. Second Appeal is disposed of and withdrawn. In view of disposal of Second Appeal, Civil Application does not survive and the same shall stand disposed of.

(M.S.KARNIK, J.)