

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

WRIT PETITION NO.11601 OF 2014

Smt.Darshana Devram Kuthe & Anr. ... Petitioner.
V/s.
Managing Director, City Industrial
Development Corporation & Ors. ... Respondents.

WITH
CIVIL APPLICATION NO.1770 OF 2015
IN
WRIT PETITION NO.11601 OF 2014

Shri Hemant Mangesh Padte ... Applicant

In the matter between

Smt.Darshana Devram Kuthe & Anr. ... Petitioner.
V/s.
Managing Director, City Industrial
Development Corporation & Ors. ... Respondents.

Mr.V.R.Gaikwad for the Petitioners.
Mr.S.S.Diwan i/b Mr.A.M. Kulkarni for the Respondent Nos.1
and 2.
Mr.S.B.Kalel AGP for the Respondent No.3.
Mr.Sanket Deshpande for the Applicant in Civil Application.

**CORAM : R. M. BORDE AND
N. J. JAMADAR, JJ.**

DATE : 6TH JUNE, 2019.

P.C.:

1] The petitioners are objecting to the notice issued by the Respondents – CIDCO Authorities on 18th November, 2014 calling upon the petitioners to remove illegal structure raised by them. The petitioners state that they have already tendered

application on 24th November, 2014 seeking regularization of structures raised by them and the application is stated to be pending. In the circumstances, this petition can be disposed of by issuing directions to the Respondents – CIDCO Authorities to take decision on the application tendered by the petitioners for regularization of the structures, as expeditiously as possible and preferably within period of four months from today and it is, accordingly, directed.

2] During pendency and disposal of the application seeking regularization of the structures, the Planning Authority is not expected to take any adverse measures as provided under the law and in view of the judgment delivered by the Division Bench of this Court on 13th March, 2015 in Writ Petition No.1468 of 2014. The intervenor shall also be extended hearing before taking decision on the application tendered by the petitioners seeking regularization of the structures. The petitioners shall also maintain status quo as regards the property and structures in question until disposal of the application tendered by the petitioners seeking regularization of illegal structures.

3] The writ petition is, accordingly, disposed of. In view of disposal of the writ petition, Civil Application does not survive and stands disposed of.

(N. J. JAMADAR, J.)

(R. M. BORDE, J.)