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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14007 OF 2018
WITH
CIVIL APPLICATION NO. 2609 OF 2018**

Delight Developers, through its authorized partner ...Petitioner

Versus

The State of Maharashtra, through Government Pleader & Ors ...Respondents

Mr Pavan Patil, *with LK Jhunjhunwala, i/b Triyama Legal, for the Petitioner.*

Ms RA Salunkhe, *AGP for Respondent No. 1.*

Mr RS Apte, *Senior Advocate, with DR More, for Respondents Nos. 2 to 5.*

Mr AP Kulkarni, *for the Applicant in Civil Application.*

**CORAM: S. C. DHARMADHIKARI &
G.S. PATEL, JJ**

DATED: 16th September 2019

PC:-

1. This writ petition challenges the order passed on 20th November 2018 passed by the Municipal Corporation rejecting the development permission granted in favour of the petitioner.

2. The Pimpri Chinchwad Municipal Corporation is a Planning Authority. Respondents Nos. 2 to 4 are the real contesting respondents.

3. It is stated that the petitioner had a dispute with the owner of the adjoining property. He was told to settle it or take such steps so that there is no impediment in developing the property in accordance with the development permission.

4. Since that could not be done, the impugned order came to be passed, but later on the petitioner seems to have settled the dispute with the adjoining owner, Mr Anand Saravde, the complainant, and, therefore, has moved the Pimpri Chinchwad Municipal Corporation with a fresh application dated 3rd April 2019 seeking a development permission to develop the subject immovable property.

5. The petitioner's Advocate on instructions states that the statements made by Mr Apte, learned Senior Advocate appearing on behalf of respondents Nos. 2 to 4, are accurate but the Municipal Corporation/Planning Authority is yet to take a decision on the fresh application of the petitioner and that process be expedited.

6. In the light of the stand taken by both sides, this writ petition need not be kept pending. We dispose it of with the direction that the pending application of the petitioner dated 3rd April 2019 be decided as expeditiously as possible and within eight weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of by keeping open all contentions of the parties.

8. Needless to clarify that the fresh application is to be decided uninfluenced by the earlier order of 20th November 2018.

9. In view of disposal of the writ petition, nothing survives in the civil application and the same is disposed of accordingly.

(S. C. DHARMADHIKARI, J)

(G. S. PATEL, J)