

Laxmi Industrial Estate ... Petitioner

The State of Maharashtra and Ors. ... Respondents

Mr.Abhay Patki, Additional Government
Pleader for Respondent No.1.

Mr. Anant Vadgaonkar a/w Ms. K.H. Mastakar for Respondent Nos. 2 to 6.

**CORAM :- S. C. DHARMADHIKARI &
B.P.COLABAWALLA, JJ.**

DATE :- MARCH 14, 2019

P.C. :-

1. An appeal under Section 47 of the Maharashtra Regional and Town Planning Act, 1966 was heard by the State Government and to be precise, by the Minister of the Department, namely, Urban Development Department way back on 12th October, 2017, but the petitioners complain that they have yet to be communicated the outcome or the final order passed therein.

2. Though Mr.Patki appearing on behalf of respondent No.1 would urge that the State Government will now pass the order

and within the time directed by this Court, we do not think that we should now leave the matter in the hands of the Minister who has not found time to pass orders for one and half years.

3. We inquired with Mr.Aney, learned senior counsel appearing for the petitioner as also the advocate appearing for the Municipal Corporation as to whether they would agree if the appeal is now heard by the Secretary in the said Department and he will pass the final orders within the time stipulated by this Court.

4. Both sides consented to this arrangement and which is confined and restricted to the matter in hand. It is only because of the delay in passing the final orders that the appeal shall now be made over to the Secretary, Urban Development Department and he shall hear all the concerned parties and pass his orders on or before 2nd May, 2019. No further extension will be granted. All parties to appear before him on 22nd March, 2019 at 10.30 a.m.

5. The writ petition is disposed of by clarifying that we have not expressed any opinion on the rival contentions.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)