

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2506 OF 2021**

Dinesh Nathu Patel and Ors. ... Petitioners
Versus
The State of Maharashtra and Ors. ... Respondents

Mr. Uday P. Warunjikar, for petitioners.
Mrs. S.D.Vyas, 'B' Panel Counsel, for State.
Mr. Sharique Nachan with Mr. Nikhil Adkine, Mr. Chinmaya Acharya for Respondent Nos.7 and 8.

**CORAM: S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : 22nd OCTOBER, 2021

P.C. :

1. The Petitioners were admittedly granted permission to construct a building. Thereafter, certain complaints were received from Respondent Nos.7 and 8 qua the said construction. In view thereof, by a letter dated 9th July, 2018 from Respondent No.5 and an Order dated 10th July, 2018 passed by the Respondent No.4 - Sub Divisional Officer, Satara, the earlier permission granted in favour of the petitioners was revoked, without issuing a show cause notice or giving a hearing to the Petitioners.

2. In view of the above, the Petitioners as well as Respondent Nos.7 and 8 have agreed that the impugned letter dated 9th July, 2018 and the impugned order dated 10th July, 2018 may be set aside and the Sub Divisional Officer Satara may be

directed to pass fresh orders after hearing the Petitioners, Respondent Nos.7 and 8 and other concerned parties. We therefore, pass the following order :

(i) The impugned letter dated 9th July, 2018 of the Respondent No.5 and the impugned Order dated 10th July, 2021 passed by the Respondent No.4, are set aside.

(ii) The parties and/or their Advocates shall appear before the concerned authority on 26th October, 2021 at 12.00 noon and obtain necessary directions. The concerned authority shall hear the Petitioners as well as the Respondent Nos.7 and 8 and the other concerned parties and pass orders within a period of four weeks from the date of hearing.

(iii) All contentions of the parties are kept open.

(iv) The Writ Petition is accordingly disposed of.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)