

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5365 OF 2021**

Bhiva J. Bujad and Anr.	...	Petitioners
<i>Versus</i>		
The State of Maharashtra and Ors.	...	Respondents

Mr. S.M.Sabrad, for Petitioners.

Mr. P.G.Sawant, AGP, for State.

Mr. M.S.Lagu, for Respondent No.6.

Mr. Ajit Deshmukh, Dy. Secretary, Revenue and Forest, State of Maharashtra, present.

Mr.Hemant Ramdas Thakur, Asstt. Director, Town Planning, present.

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

DATE: 24th NOVEMBER, 2021

P.C.:

1. In the Affidavit in Rejoinder filed by Shri Ramavtar Jagatnarayan Pathak, Petitioner No.2, he has interalia stated as follows :

“18. I say that even otherwise, I am ready and willing to purchase the said land for whatever use that would be permissible as per the norms laid down by the Central Government in its Notification as well as the D.C. Regulations of the Respondent No.6 Municipal Corporation. This Hon’ble Court in one such case have directed the Respondent No.1 to grant sanction/ permission under Section 36A of the said Code for purchasing the land on as is where is basis. Hereto annexed and marked as Exhibit A2 is copy of the order passed by this Hon’ble Court.”

2. Mr. Ajit Deshmukh, Dy. Secretary, Revenue and Forest Department and

Mr. Hemant Ramdas Thakur, Assistant Director, Town Planning, are present in Court. They have on instructions from their senior, informed the Court that in view of what is stated in the Affidavit in Rejoinder of Petitioner No.2 reproduced above, they have no objection in granting sanction/permission under Section 36A of the said Code in favour of the Petitioner for purchasing the subject lands on as is where is basis. The statement is accepted as an undertaking given to the Court. The said sanction/permission shall be granted to the Petitioners within a period of 8 weeks from today. The Writ Petition is accordingly disposed of.

(MILIND N. JADHAV, J.)

(S.J.KATHAWALLA, J.)