

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1644 OF 2022

...

JEEVAN BHAUSAHEB SHINGATE AND ORS. ...PETITIONERS
Vs
MANAGING DIRECTOR, CITY AND

INDUSTRIAL DEVELOPMENT CORP. LTD.

(CIDCO) AND ORS. ...RESPONDENTS

...

Mr.Rahul Thakur a/w Adv.Sanket Thakur i/b Adv.Nikita Patil for the
Petitioners.

Mr.Nitin V. Gangal a/w Ashok D.Kadam and Adv.Prerna Shukla for
Respondent Nos.1 to 3-CIDCO.

Mr.A.A.Alaspurkar, AGP for the State.

...

CORAM : A.A. SAYED &

PRITHVIRAJ K. CHAVAN, JJ.

DATED : 18 FEBRUARY 2022

P.C.:

Though belatedly, the Petitioners have filed Regularization
Application in respect of the construction of four buildings, after notice has
been issued to them by the Respondent-Corporation under section 54(1) of
the MRTP Act. Inasmuch as, the Regularization Application is now pending
in respect of four buildings, we pass the following order:

ORDER

(i) The Regularization Application of the Petitioners in respect of the four buildings shall be decided expeditiously.

(ii) Until the Regularization Application is decided and for a period of two weeks from the date of communication of the decision thereon to the Petitioners, no coercive steps shall be taken by the Respondent-Corporation on the basis of impugned notice under section 54(1) of the MRTP Act.

(iii) Learned Counsel for the Respondent-Corporation has pointed out that the flats of one of the four buildings are unoccupied. If that be so, we direct that no third party rights shall be created or no third party shall be inducted in the flats of the said building and status-quo as of today shall be maintained in respect of the said building, unless the decision in the Regularization Application is favourable to the Petitioners.

2. The Petition to stand disposed of in the aforesaid terms.

(PRITHVIRAJ K. CHAVAN,J.)

(A.A.SAYED, J.)