

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2240 OF 2022

Prakash Kimatram Aswani & Ors.Petitioners
V/S
The Commissioner Pimpri Chinchwad
Municipal Corporation & Anr.Respondents

**WITH
WRIT PETITION NO.2241 OF 2022**

Prakash Kimmatram AswaniPetitioner
V/S
The Commissioner Pimpri Chinchwad
Municipal Corporation & Anr.Respondents

**WITH
WRIT PETITION NO.2242 OF 2022**

Kawleensingh Pratapsing WaliaPetitioner
V/S
The Commissioner Pimpri Chinchwad
Municipal Corporation & Anr.Respondents

**WITH
WRIT PETITION NO.2243 OF 2022**

Abdul Valud Jilani
(since deceased) through Legal Heir
Hamid Abdul Udud JilaniPetitioner
V/S
The Commissioner Pimpri Chinchwad
Municipal Corporation & Anr.Respondents

**WITH
WRIT PETITION NO.2244 OF 2022**

Gulam Rashul SayyadPetitioner
V/S
The Commissioner, Pimpri Chinchwad

Municipal Corporation & Anr.

....Respondents

**WITH
WRIT PETITION NO.2245 OF 2022**

Hamid Badrudin Shaikh

...Petitioner

V/S

The Commissioner, Pimpri Chinchwad

Municipal Corporation & Anr.

....Respondents

**WITH
WRIT PETITION NO.2246 OF 2022**

Sandeep Desraj Anand

....Petitioner

V/S

The Commissioner, Pimpri Chinchwad

Municipal Corporation & Anr. .

...Respondents

Mr. Ajay Patil i/b Mr. Arvind Aswani for the Petitioner.

Mr. Deepak More a/w Mr. Shivram Gawade for Respondent Nos.
1 and 2.

Mr. V.M. Mali AGP for the State.

**CORAM: PRAKASH D. NAIK &
ABHAY AHUJA, JJ.**

**DATE : 23rd MAY 2022
(Vacation Court)**

P.C. :-

(Not on board. Mentioned. Taken on board)

1. The Petitioners have been issued notices under section 53 of the Maharashtra Regional Town Planning Act, 1966. Learned Counsel for Petitioners submits that they are willing to make regularisation applications. It is submitted that in the case of similarly placed Petitioners, in Writ Petition Nos. 5694 of 2022 and 5696 of 2022, this Court has permitted filing of

regularisation application and granted relief till then.

2. In the facts and circumstances of the case and in the interest of justice we pass following order.

ORDER

(i) We also record the statement of learned Counsel for Petitioners that Petitioners shall file Regularisation Applications within six weeks from today.

(ii) The said Regularisation Applications shall be decided expeditiously by the Respondent- Corporation.

(iii) Until the Regularisation Applications are decided and for a period of three weeks from the date of communication of the decision on the Regularisation Applications, no coercive action shall be taken against the structure(s) of the Petitioners.

iv) We make it clear that in the event no Regularisation Application/s is/are filed within six weeks from today, the Respondent-Corporation shall be free to take action in accordance with law.

3. The Petitions to stand disposed of in the above terms.

(ABHAY AHUJA, J.)

(PRAKASH D. NAIK J.)