

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

WRIT PETITION NO.7093 OF 2022

B.L.F. Realtors Pvt. Ltd.

through Directors and Anr.

.. Petitioners

v/s.

State of Maharashtra

through Ministry of Urban

Development & Anr.

.. Respondents

Mr. A. R. Gole for the petitioners.

Mrs. Neha Bhide, B' Panel counsel for the State-respondent no.1.

Ms. Swati H. Sagvekar for the respondent no.2-Corporation.

CORAM : R.D. DHANUKA &

KAMAL KHATA, JJ.

DATED : 26TH AUGUST, 2022.

P.C. :

1. Rule. Learned AGP waives service. Learned counsel for respondent no.2 waives service. Rule is made returnable forthwith.
2. This petition under Article 226 of the Constitution of India prayed for writ of mandamus against respondent no.2 to treat the conditions no.1 and 2 of the letter dated 29th April, 2022 as

complied with in view of order dated 7th June, 2021 and for other reliefs.

3. In pursuance of the order dated 11th July, 2022 passed by this Court, the Deputy Director of Land Records has passed an order. Learned AGP tendered affidavit-in-reply filed by the Deputy Director of Land Records, Konkan Region, Mumbai. In paragraphs 14 to 17, the deponent of the said affidavit has confirmed that the order dated 7th June, 2021 is the final gut book in respect of Survey no.28/2 and measurement was carried out in accordance with the final gut book.
4. The learned counsel for the petitioners states that in view of the clarification issued by the Deputy Director of Land Records in the said affidavit and in the order dated 7th March, 2022 annexed at Annexure R-8 to the affidavit, nothing survives in this petition. However, our attention is invited to the application dated 9th September, 2021 annexed at page 127 of the writ petition, made by his clients for seeking Occupation Certificate in the Municipal Corporation, which is pending for consideration before the Deputy Director, Town Planning, of respondent no.2 Corporation.
5. Ms. Sagvekar, learned counsel for respondent no.2 agrees that her client will decide the said application for Occupation Certificate

in view of the order passed by the Deputy Director of Land
Records within two weeks from today. Statement is accepted.

6. Writ Petition is disposed off in the aforesaid terms.
7. Rule is made absolute. No orders as to costs.
8. Parties to act on an authenticated copy of this order.

(KAMAL KHATA, J.)

(R.D.DHANUKA, J.)