

WRIT PETITION NO.9338 OF 2022

Dnyan Ganga Education Trust ... Petitioner.
V/s.
Thane Municipal Corporation
& Anr. ... Respondents.

Ms.S.N. Oak i/by Mr.Vijay Nene, for the Petitioner.
Mr.M.V. Limaye, for the Respondent Corporation.

CORAM : R.D. DHANUKA AND
KAMAL KHATA, JJ.

DATE : 3 AUGUST 2022.

P.C. :

Learned counsel for the Petitioner – Trust on instructions undertakes to file an application for regularization of the offending structure which are part of the impugned order passed by the Municipal Corporation in the requisite format within two weeks from today along with all documents. Statement is accepted.

2. If any such application is filed in the prescribed format and compliance with all the requisite requirements, the Municipal Corporation to consider such application in accordance with law within eight weeks from date of filing such application and shall pass an appropriate order that shall be communicated to the Petitioner

within one week from the date of passing of the order. If the offending structure is regularized, appropriate order in that regard shall be passed by Municipal Corporation and if it cannot be regularized, no coercive steps shall be taken by the Corporation against offending structure for period of two weeks from the date of communication. Petitioner shall not carry out any other construction without obtaining prior permission sanctioned by the Corporation.

3. This Court has not expressed any views on the merits of application the for regularization made by the Petitioners. All contentions of both the parties are kept open. Writ petition is disposed off in aforesaid terms. No coercive steps shall be taken against the offending structure by the Municipal Corporation till such application for regularization is disposed off for a period of two weeks from the date of communication.

[KAMAL KHATA, J]

[R.D. DHANUKA, J]