

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

WRIT PETITION NO.9570 OF 2022

Laxmikant R. Venkatraman

.. Petitioner

v/s.

The Managing Director, City
and Industrial Development
Corporation Ltd. (CIDCO) & Ors.

.. Respondents

Mr. Rahul Thakur a/w Sanket Thakur & Nikita Patil for the petitioner.

Mr. Siddharth Shitole i/b. Ashutosh Kulkarni for the respondent nos.1 to 3-CIDCO.

Mrs. Neha Bhide – ‘B’ Panel counsel for the State–respondent nos.5 to 8.

CORAM : R.D. DHANUKA &

KAMAL KHATA, JJ.

DATED : 26TH AUGUST, 2022.

P.C. :

1. Rule. Learned AGP for respondent nos.5 to 8 waives service. Rule is made returnable forthwith.
2. The petitioner has impugned the notices under Section 53(1) of the MRTP Act, described in prayer clause (A) of the petition. The petitioner has already made an application for regularization on 27th July, 2022 and 4th August, 2022 and the same is pending before the CIDCO. Respondent nos.1 to 4 states that the said applications for regularization made by the petitioner would be

decided by the CIDCO, within eight weeks from today. Statement is accepted.

3. The order that would be passed by respondent no.1 shall be communicated to the petitioner within one week from the date of passing order. Till these applications are decided by CIDCO and for a period of two weeks from the communication of the said order if the same is adverse against the petitioner, no coercive steps would be taken by the respondent nos.1 to 4 against the petitioner or the offending structure to enforce the impugned notices dated 15th October, 2020 described in prayer clause (A) of the petition. During this period, the petitioner shall not carry out any alterations or any construction of any nature whatsoever without obtaining prior sanction of the respondent CIDCO.
4. Writ Petition is allowed in the aforesaid terms. Rule is made absolute.
5. No orders as to costs.
6. It is made clear that this Court has not expressed any views on the merits of the application for regularization made by the petitioner. All contentions of both parties are kept open.

(KAMAL KHATA, J.)

(R.D.DHANUKA, J.)