

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1300 OF 2023**

PRITAM PRAKASHCHAND PATNI AND OTHERS
VERSUS
STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

...

Mr. A. K. Bhosle, Advocate for the Petitioners.
Mr. S. B. Yawalkar, AGP for Respondents-State.
Mr. A. P. Bhandari, Advocate for Respondent Nos.2 and 3.

**WITH
CIVIL APPLICATION NO.2344 OF 2023
IN WP/1300/2023**

JYOTI TARACHAND CHAVAN
VERSUS
STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS

...

Mr. D. P. Palodkar, Advocate for the Applicant.
Mr. A. K. Bhosle, Advocate for the Petitioners in WP.
Mr. S. B. Yawalkar, AGP for Respondents-State.
Mr. A. P. Bhandari, Advocate for Respondent Nos.2 and 3.

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**CORAM : NITIN W. SAMBRE AND
S. G. CHAPALGAONKAR, JJ.
DATE : 27th MARCH, 2023.**

P.C:-

1. Alleging illegal construction by the petitioners, respondent-Corporation has issued notice directing withdrawal/demolition of the encroachment/unauthorized construction. As such, the present petition.

2. Amongst the other prayers in the petition one of the prayer is to decide the representation which is pending before the Corporation allegedly preferred on 14th December, 2021.

3. We have perused the said representation, which is annexed at page no.143 of the petition, which the petitioners are seeking regularization of their unauthorized constructions under the Maharashtra Gunthewari Developments (Regularisation, Upgradation and Control) Act, 2001, as the plots which have allegedly purchased from the Society appears to have been not from the sanctioned lay out.

4. In the aforesaid background, in response to the Court's query Mr. Bhandari, learned counsel appearing for the respondent-Corporation informs that if the petitioners prefers detail representation within a period of two weeks from today i.e. by 10th April, 2023, the same can be decided in any case by 15th May, 2023.

5. In view of the aforesaid response given by the learned counsel appearing for the respondent-Corporation, we are of the view that nothing survives in the petition.

6. Having heard Mr. Palodkar, learned counsel appearing for the applicant, who is seeking intervention in the matter, we are of the view that it shall be open for the applicant intervenor to canvas her claim before the respondent-Corporation qua the hearing on the application of the petitioners for regularization.

7. Writ Petition and civil application accordingly stand disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

(NITIN W. SAMBRE)
JUDGE