

VRJ

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

WRIT PETITION NO.233 OF 2024

VAIBHAV
RAMESH
JADHAV
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Sunil Gokarna Dubey

... Petitioner

V/s.

The State of Maharashtra

Through The Chief Minister & Ors.

... Respondents

Mr. Bhushan Walimbe for the petitioner.

Ms. V. S. Nimbalkar, AGP for the State.

CORAM : AMIT BORKAR, J.**DATED : JANUARY 8, 2024****P.C.:**

1. According to the petitioner, the appeal was heard by the Minister; however, the impugned order is passed by the Secretary. Hence, learned APP for the State seeks time to take instructions.
2. Leave to amend to delete name of respondent No.2. Amendment to be carried out within two weeks from today.
3. Issue notice for final disposal to respondent Nos.3 and 4, returnable on **5th February 2024**.
4. On perusal of the impugned order, it appears that there is no finding recorded by the authorities below that the construction is contrary to the provisions of the D.C. Rules framed under Maharashtra Regional and Town Planning Act, 1966. According to

the petitioner, the deficiencies can be condoned or time to cure the deficiencies can be granted.

5. Hence, till 5th February 2024, no coercive steps shall be taken against construction of the petitioner.

(AMIT BORKAR, J.)