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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6726 OF 2025

Manisha Santosh Bhorde

.....Petitioner

Vs.

State of Maharashtra and ors

.....Respondents

Mr. Rupesh R. Lanjekar for the petitioner

Mr. Ashwin R. Kapadnis for respondent no. 2

Mr. P. P. Kakade, Addl GP for the State

**CORAM : GAURI GODSE,
SOMASEKHAR SUNDARESAN, JJ.
(VACATION COURT)**

DATE : 29th MAY 2025

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ORDER:

1. This petition is filed to challenge notice issued under Section 53(1) of The Maharashtra Regional and Town Planning Act (MRTP) on 9th April 2025. Learned counsel for the petitioner has tendered an affidavit-cum-undertaking dated 29th May 2025 and the same is taken on record. The undertaking states that the petitioner shall file an application for regularisation within two weeks from today. The affidavit further states that if the regularisation application is not favourably

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decided, the petitioner on her own will remove the offending structure subject to her right of appeal as permissible in law. The assurances recorded in the affidavit-cum-undertaking are accepted as undertaking to this Court

2. The petitioner is entitled to apply for retention of the offending structure and apply for regularisation as permitted under Sub-Section (3) of Section 53 of the MRTTP Act.

3. In view of the undertaking given by the petitioner, the petition would not require any further consideration.

4. Learned counsel for respondent no. 2 submits that if such an application is filed, the same shall be decided within two weeks from the date of application.

5. In view of the aforesaid, the Writ Petition is disposed of by passing the following order:

ORDER

I. The undertakings given by the petitioner in the affidavit dated 29th May 2025 are accepted as undertakings to this Court.

II. The petitioner is permitted to file an application for regularisation

of the offending structure within two weeks from today.

III. If such an application is filed, the same shall be decided within two weeks thereafter.

IV. During the pendency of regularisation application, no coercive action shall be taken against the offending structure.

V. If regularisation application is adversely decided, the interim protection granted by this Order shall continue for a period of four weeks from the date of intimation of the decision to the petitioner.

6. Writ Petition is disposed of in aforesaid terms.

[SOMASEKHAR SUNDARESAN, J.]

[GAURI GODSE, J.]