

ITEM NO.13

COURT NO.7

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3947-3948/2020

(Arising out of impugned final judgment and order dated 09-01-2020 in AFO No. 313/2019 09-01-2020 in CA No. 378/2019 passed by the High Court Of Judicature At Bombay)

VIJAY GOVERDHANDAS KALANTRI

Petitioner(s)

VERSUS

THE MUNICIPAL CORPORATION OF GREATER MUMBAI

Respondent(s)

(FOR ADMISSION and I.R. and IA No.25359/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 12-02-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Sandeep Sudhakar Deshmukh, AOR
Mr. Vasim Siddiqui, Adv.

For Respondent(s)

Ms. Pallavi Pratap, Adv.
Ms. Neema, Adv.
M/s. Pratap & Co., AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the petitioner submits that the petitioner has already made representation to the competent authority of Corporation for regularization of the unauthorized portion of the subject flat. The petitioner is free to pursue that remedy.

However, during the course of arguments, learned counsel for the petitioner has fairly assured the court on instructions of the petitioner that the petitioner will remove the unauthorized

structure on his own, if given reasonable time to do so and put the structure to its original form as per the sanctioned plan.

The petitioner is free to make representation to the competent authority of the Corporation in that regard. The same be considered on its own merits.

We are not expressing any opinion either way on the said relief claimed by the petitioner. That be done within one week from today.

Since the petitioner is granted one week's time for this purpose, all concerned shall not proceed to forcibly dismantle the unauthorized structure until then.

The Special Leave Petitions are disposed of accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)