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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1583 OF 2015
IN
WRIT PETITION NO.3118 OF 2012

Aqueel Ahemad Mohd. Yusuf & Ors.	... Applicants/ Interveners
In the matter between Ansari Iqbal Ahemad Moh. Haroon Vs.	... Petitioner
The State of Maharashtra & Ors.	... Respondents

Mr. A.Y. Sakhare, Senior Advocate a/w Mr. Ramesh Dubey i/by M/s. Jay & Co., for the Applicants/Interveners.

Mr. Amol D. Wagh i/by Mr. Sagar V. Kasar, for the Petitioner.

Mr. R.B. Raghuwanshi a/w Mr. Ratnesh Dubey i/by Ms. Rutuja Ambekar, for Respondent Nos.3 to 5.

**CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ.**

DATE : 11th AUGUST, 2015

PC.

. Heard the learned counsel appearing for the Applicants and the learned counsel appearing for the Municipal Corporation.

2. The learned Senior Counsel appearing for the Applicants states that all the Applicants have been served with the notices under Section 260 of the Maharashtra Municipal Corporations Act, 1949 and

all the Applicants have submitted their respective reply to the notices.
We accept the said statements.

3. In view of the said statements, the Malegaon Municipal Corporation will have to pass orders on the notices in accordance with the law laid down by this Court in the case of *Sopan Maruti Thopte and Anr. Vs. Pune Municipal Corporation (AIR 1996 Bom. 304)*. After passing orders on the notice, the Municipal Corporation will have to serve the orders to the Applicants. If the orders are adverse to the Applicants, the same shall not be implemented for a period of 15 days from the date of service of orders to the Applicants. It will be open for the Applicants to apply to the Municipal Corporation for grant of personal hearing. However, it is for the Municipal Corporation to decide whether personal hearing deserves to be granted to the Applicants.

4. All questions on merits of the notices issued under Section 260 of the Maharashtra Municipal Corporations Act, 1949 are expressly kept open. Application is disposed of on above terms.

(REVATI MOHITE DERE, J)

(A.S. OKA, J)