

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10727 OF 2015

Mrs. Vimal A. Bhoir .. Petitioner
vs.
Thane Municipal Corporation and ors. .. Respondents

None present for both the parties.

CORAM : M. S. SONAK, J.
DATE : 23 DECEMBER 2015.

P.C. :-

- 1] Neither the parties nor their advocates are present.
- 2] The very institution of this petition is an abuse of process of law. The order challenge in this petition merely expedites the hearing of the reference. The challenge on the ground that no reasons have been assigned. Ample reasons have been assigned. In matters of disqualification of Councilors, expeditious hearing is the norm. The attempt on the part of the Petitioner is to delay the proceedings. The jurisdiction under Articles 226 and 227 of the Constitution of India cannot be invoked for such purposes.
- 3] Therefore, not only the impugned order is upheld, but further directions are issued to the Civil Judge, Senior Judge, Thane to abide by the same. In case, any of the parties unnecessarily delay the

matter, the Civil Judge, Senior Division, Thane to make appropriate orders in the matter. The Petitioner shall pay costs of Rs.5000/- to Thane Municipal Corporation and submit a receipt in that regard before the Trial Court. The Trial Court to ensure that such costs are indeed paid by the Petitioner.

4] The Registry is directed to transmit the copy of this order to the Civil Judge, Senior Division, Thane, which is taking up M.A. No. 232 of 2015, within a period of fifteen days from today.

5] The petition is dismissed with costs as aforesaid.

(M. S. SONAK, J.)

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