

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1694 OF 2014

The Salsette Catholic Co-operative Housing Society Ltd.	 Petitioner
V/s	
Municipal Corporation & Ors.	 Respondents

NOTICE OF MOTION NO. 217 OF 2014
IN
WRIT PETITION NO.1694 OF 2014

The Salsette Catholic Co-operative Housing Society Ltd.	 Applicant
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IN THE MATTER OF

The Salsette Catholic Co-operative Housing Society Ltd.	 Petitioner
V/s	
Municipal Corporation & Ors.	 Respondents

Mr. Clive D'souza for Petitioner/Applicant.
 Mr. A.Y. Sakhare, Senior Advocate a/w Ms. K.H. Mastakar for
 Respondent Nos.1 and 2/Corporation.
 Mr. J.S. Saluja, AGP for Respondent No.3/State.
 Mr. Anil Anturkar a/w Mr. Vachan Bodke, Mr. Madhu Hiraskar i/b
 M/s. Chitnis Vaithy & Co. for Respondent No.4.

CORAM : A.A. SAYED, J.
DATED : 7 JULY 2015

P.C.

1 This Petition is filed by the Petitioner Society essentially seeking directions against the Respondent Corporation to comply with the order dated 28 May 2014 of the Executive Engineer (Building Proposal), W.S.H. Ward, by taking steps to demolish and/or remove alleged

unauthorized work carried out by the Respondent No.4 in the premises on the ground-floor of Lilly Villa, Plot No.169, C.T.S. No.586, St. Andrew's Road, Bandra (West), Mumbai, and to direct the Respondent Corporation to stop commercial activities being carried out by the Respondent No.4 in the said premises in contravention of the Development Control Regulations 1991.

2 By a separate order passed today in Writ Petition No.884 of 2015, I have set aside the order dated 28 May 2014 which was impugned in the said Petition. In the circumstances, nothing survives for consideration in the present Petition. It will be open for the Petitioner Society to file appropriate proceedings, as may be advised, after a fresh order is passed by the Executive Engineer (Building Proposal), W.S.H. Ward.

3 The Petition to stand disposed of accordingly.

4 In view of the disposal of the Writ Petition No.1694 of 2014, the Notice of Motion No.217 of 2014 does not survive and to stand disposed of.

(A.A. SAYED, J.)

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