

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

WRIT PETITION NO.2590 OF 2013

Jude Murzello and ors.Petitioners.

vs.

The Municipal Corporation of Gr. Mumbai and ors.
...Respondents.

None for the petitioner.

Mrs.Shobha Ajitkumar for Respondent Nos. 1 and 2.

Mr.J.S.Saluja for Respondent No.3 State.

Ms.M.S.Sarika Mehra i/by L.J. Law for Respondent No.4.

**CORAM : A.S.OKA AND
A.P. BHANGALE, JJ.**

DATE : 30TH MARCH, 2015

PC:

None appears for the petitioner. Learned counsel appearing for the respondents are present. Learned Counsel appearing for 4th respondent tenders affidavit in reply. The substantive prayer in this petition is for directing the first respondent Municipal Corporation to take action in respect of the alleged illegal work carried out by the 4th respondent on bungalow No.57.

2) Affidavit of respondent No.4 tendered today shows that 2nd respondent Municipal Corporation has taken action. In Paragraph 10 of the affidavit, it stated that a stop work notice was issued to the 4th respondent. It is further stated that in December 2013 and Feb.,2014, 4th respondent had applied for repair permission. Deeming provision is sought to be invoked by the 4th respondent.

3) Thus, it appears that second respondent Municipal Corporation has proceeded in accordance with law.

4) None appears for the petition. We dismiss the petition for non prosecution.

(A.P. BHANGALE, J.)

(A.S.. OKA, J.)