

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2450 OF 2015
ALONG WITH
NOTICE OF MOTION (L) NO.763 OF 2015
IN
WRIT PETITION NO.2450 OF 2015

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Ashok Pande for the Petitioner.
Shri Vinod Mahadik for the Respondent BMC.

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CORAM : A.S. OKA & G.S. PATEL, JJ
DATED : 19TH NOVEMBER 2015

P.C.:

. Not on board. Taken on board.

2. The disputed questions of facts as regards the present structural status of the building subject matter of this Petition arise. Therefore, appropriate remedy for the Petitioner will be to approach the Civil Court.

3. Hence, we decline to entertain this Petition and the same is disposed of by granting liberty to the Petitioner to file appropriate proceedings before the Civil Court. To enable the Petitioner to file appropriate proceedings before the Civil Court and to seek ad-interim relief, we direct that action of demolition of the building in question shall not be taken for a period of two weeks from today.

4. All contentions on merits of the parties are kept open.

5. Notice of Motion does not survive and the same is disposed of.

(G.S. PATEL, J)

(A.S.OKA, J)