

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.345 OF 2016
WITH
WRIT PETITION NO.595 OF 2016
WITH
WRIT PETITION NO.3576 OF 2016**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr. B.S.Shukla, Advocate for petitioner in WP Nos 595/16 and R.No.2 in WP/3576/16.

Mr. Sandesh Patil i/b Chintan Shah, Advocate for R.No.1 in All Petitions.

Mr. Mayuresh Lagu, Advocate for petitioner-Corporation in W.P.No.345/16 & WP/3576/16 and R.Nos 2 and 3 in 345/16 and WP/595/16.

CORAM : R.G.KETKAR,J.

DATE : 27/04/2016

PC:

1. Not on Board. By consent of the parties, these petitions are taken up for admission. Heard learned counsel appearing for the parties.

2. For the reasons recorded in the Writ Petition No.632 of 2016 and other companion matters, by consent of the parties, following order is passed:

(i) impugned orders passed by the learned District Judge are quashed and set aside and Misc. Civil Appeals are restored to the file of the learned District Judge.

(ii) Learned District Judge will decide the objections raised by the Corporation based on section 487 and 433A of the Maharashtra Municipal Corporations Act and shall not leave it to the decision of the trial Court. All contentions advanced by the parties noted in Writ Petition No. 632 of 2016 shall be dealt with by the learned District Judge.

(iii) Parties agree that they will appear before the learned District Judge on 13.6.2016 and for that purpose no fresh notice be issued to them. Learned District Judge is requested to dispose of Appeals within four weeks from the date of appearances of the parties.

(iv) During the pendency of the Misc. Civil Appeal, order directing to maintain status quo, is continued as ad-interim

order. Continuation of the ad-interim order shall not be construed as an expression of merits either way. Learned District Judge will decide the Appeals on the basis of the material on record and on its own merits and in accordance with law.

(R.G.KETKAR, J.)