

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 949 OF 2016

Malang Mehboob Shaikh and others. ... Petitioners.
V/s.
The Kalyan Dombivali Municipal
Corporation and others. ... Respondents.

WITH
WRIT PETITION NO. 958 OF 2016

Nagappa Macha Bhogveera and others. ... Petitioners.
V/s.
The Kalyan Dombivali Municipal
Corporation and others. ... Respondents.

Gautam T. Kanchanpurkar for the petitioners.

A.S.Rao for the respondents.

CORAM : A.S. OKA AND C.V.BHADANG, JJ

DATED : 21st January 2016.

PC. :

Not on board. Taken up on board.

2. Heard learned counsel for the petitioners and learned counsel
for the respondents.

3. The impugned notices call upon the present petitioners to remain present for the hearing of show-cause-notices issued in terms of sub-section(2) of section 81-B of the Maharashtra Municipal Corporations Act, 1949 (for short "said Act"). The learned counsel appearing for the respondents states that, as of today, the orders of eviction have not been passed on the basis of the said notices. We accept the said statement.

4. In view of the statement made, we dispose of these petitions by passing the following order:

ORDER

(i) The orders passed by the Commissioner in accordance with sub-section (2) of section 81-B of the said Act shall be communicated to the petitioners.

(ii) For a period of two weeks from the date on which the order is communicated to the petitioners, the action of dispossession shall not be taken in respect of the premises of the petitioners so as to enable the petitioners to adopt statutory remedy.

(iii) All contentions on merits are kept open.

(iv) The petitions are disposed of in the above terms.

(C.V. BHADANG, J)

(A.S.OKA, J)..