

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO.12699 OF 2016

IN

WRIT PETITION (STAMP) NO.6743 OF 2016

Shri. Mainuddin Shamshoddin Bagwan .. Applicant

IN THE MATTER BETWEEN

Shri. Mainuddin Shamshoddin Bagwan .. Petitioner

Versus

Shri. Ayyaj Illiyas Naikwadi and others .. Respondents

ALONGWITH

CIVIL APPLICATION (STAMP) NO.12696 OF 2016

IN

WRIT PETITION (STAMP) NO.6746 OF 2016

Shri. Mainuddin Shamshoddin Bagwan .. Applicant

IN THE MATTER BETWEEN

Shri. Mainuddin Shamshoddin Bagwan .. Petitioner

Versus

Shri. Khutbuddin Abdulkadar Kaji and others .. Respondents

ALONGWITH

CIVIL APPLICATION (STAMP) NO.12697 OF 2016

IN

WRIT PETITION (STAMP) NO.6744 OF 2016

Shri. Mainuddin Shamshoddin Bagwan .. Applicant

IN THE MATTER BETWEEN

Shri. Mainuddin Shamshoddin Bagwan

.. Petitioner

Versus

Shri. Jahurahmed Munir Bagwan and others

.. Respondents

Mr. A. M. Kulkarni, for the Applicant.

CORAM : R.M. SAVANT, J.

DATE : 29th APRIL 2016

PC.

1. The above Civil Applications have been filed seeking modification of the order dated 10.03.2016 passed by this Court. The above Petitions are pending admission. In the above Petitions, notice came to be issued on 10.03.2016 and as and by way of interim relief. The following directions were issued.

“In my view, it would be appropriate to continue the stay of the order however the same would be on the condition that the Petitioner would not participate in the proceedings of the Municipal Corporation or draw allowances until further orders of this Court.”

It seems that the said directions are being construed in a manner that the Petitioners in the above Petitions are not entitled to even attend the meetings of the Corporation or the meetings of the committees of the Corporation of which they are members. It is clarified that the said

directions would mean that the Petitioners are entitled to attend the meetings, but would not be entitled to vote in the meetings of the Corporation or of any committee of which they are the members and would also not draw allowances. It is further clarified that the Petitioners would be entitled to participate in the discussion. The clarification as above would operate in the main Petition itself. In view of the aforesaid clarification, the Learned Counsel for the Applicant seeks withdrawal of the above Civil Applications. The Civil Applications are accordingly allowed to be withdrawn. List the above Petitions for admission on 20.06.2016.

2. Parties to act upon a copy of this order duly authenticated by the Court Shirestedar.

[R.M. SAVANT, J]