

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1762 OF 2016
IN
WRIT PETITION NO. 5489 OF 2016

Maqsood Ahmad Maqbool Ahmad Ansari .. Applicant

In the matter between

Mr.Vaqas Ahmad Sagheer Ahmad Malik .. Petitioner

Vs.

Bhiwandi Nizampura City Municipal
Corporation & ors. .. Respondents

Mr.S.A.Joshi, for the Applicant.

Mr.N.R.Bubna, for Respondents No. 1 to 3.

Ms.M.P. Thakur, AGP for Respondent No.5 – State.

CORAM : SHANTANU.S.KEMKAR &

M.S.KARNIK, JJ.

DATE : 15th JULY , 2016

PC. :

. Matter is not on board. In view of urgency, taken up
in the production board.

2. Through this Civil Application, the applicant is
seeking clarification and modification of order dated
15/06/2016 passed by this Court in Writ Petition No. 5489 of
2016. While disposing of the said Writ Petition, this Court

passed the following order :

“.....

2. Having considered the submissions made by the learned Counsel for the respondents No.1 to 3 and having gone through the averments in the Petition, we are disposing of the Petition by directing the respondents No.1, 2 & 3 to examine petitioner's grievance and take appropriate further steps in pursuance to the notices dated 06/02/2015 and 16/03/2015 in accordance with law as expeditiously as possible if there is no legal impediment for the same. Petition stands disposed of.”

3. According to the learned Counsel for the applicant, applicant was respondent No.6 in the said Writ Petition and that the Corporation is not paying any heed to the observations made by this Court in the last two lines wherein it has been mentioned that “if there is no legal impediment for the same”, we find that the submission cannot be accepted as the learned Counsel for the Corporation has categorically stated that the if there is any legal impediment for implementation of the direction contained in the aforesaid order, the authority shall take into consideration the same. We find no reason to modify our order. Civil Application is disposed of.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)