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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.7423 OF 2015

Mr.Bernard Albert D'Mello ...Petitioner
vs.
Mira-Bhaindar Municipal
Corporation and others ...Respondents

Mr.P.K.Dhakephalkar, Senior Advocate a/w
Mr.Durgaprasad Sabnis with Mr.Durgesh Kulkarni i/b
Lex Firmus for the Petitioner
Mr.N.R.Bubna for the respondent No.1
Mr.Birendra Saraf a/w Sunny Punamiya i/b SSP Legal
for respondent No.3
Mr.A.B.Vagyani, GP with Ms M.P.Thakur for respondent
No.2

CORAM : A.S.OKA, &
C.V.BHADANG, JJ.
DATE : FEBRUARY 18, 2016

P.C.:

1 The learned Government Pleader tendered on record the order dated 17th February 2016 passed by the State Government. By the said order in exercise of power under sub-section (3) of section 451 of the Maharashtra Municipal Corporations Act, 1949, the State Government has rescinded the decision dated 2nd March 2015 of the Mayor of the Mira Bhayander Municipal Corporation as regards the appointment of the leader of the opposition. A copy of the said order is taken on record and marked 'A-2' for identification.

2 In view of the said decision, now no further

directions can be issued in this petition. If any of the parties are aggrieved by the said order, it is for them to adopt appropriate proceedings in accordance with law. The learned counsel for the third respondent stated that in terms of the statement of the third respondent recorded in the order dated 11th February 2016, a specific letter is being issued today.

3 In view of the order dated 17th February 2016 passed by the State Government, nothing survives in this petition and the same is disposed of. We, however, make it clear that no adjudication has been made on the merits of the order dated 17th February 2016. Remedies of the parties to challenge the said order are kept open.

(C.V.BHADANG,J.)

(A.S.OKA,J.)