

WRIT PETITION NO. 8500 OF 2016

Versus

... Respondents.

DATE : 21ST JULY, 2016.

3] The grievance of the petitioner is that in spite of interim order passed by this Court in Writ Petition (L) No.2043/2014 the respondents has issued the impugned notices. It is also the case of the petitioner that the application in terms of the interim order passed by this Court in the said Writ Petition is pending before the

Respondents and without deciding the same the impugned notices has been issued.

4] Learned counsel for the respondent/Corporation has fairly stated that before issuing the said notice of demolition no show cause notice was issued to the petitioner. He submits that the respondent/corporation be permitted to issue a show cause notice to the petitioner in regard to the alleged illegalities being committed by them requiring demolition of the mobile tower erected by them.

5] In view of the stand taken by the Corporation, we dispose of this petition by quashing the impugned notices of demolition issued by the Corporation with liberty to the Corporation to issue a show cause notice in respect of the alleged illegalities being committed by the petitioner necessitating the action of demolition. On such notice being received the petitioner to file reply to the same within 15 days of its receipt and, thereafter the Competent Authority of the respondent shall consider the same and pass a reasoned order. If any adverse decision is taken against the petitioner the same shall not be effective for a period of one week.

(M. S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)