

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8977 OF 2016

Mr.Babu Daud Shaikh and ors. .. Petitioners
Vs.
Chief Land Survey Officer,
CIDCO Bhavan And ors. .. Respondents

Ms.Anita Wakchoure i/b Mr.Vijay R.Shinde, for the Petitioners.
Mr.B.D.Sharma, for Respondent No.1.
Mr.S.V. Marne, for Respondent No.3.
Mr.Kunal Bhanage, for Respondent No.4.

**CORAM : NARESH H. PATIL &
M.S.KARNIK, JJ.**

23rd NOVEMBER, 2016

P.C. :

. Consequent to the judgment and order delivered on 31/01/2015 passed by learned Civil Judge, Junior Division, Vashi, Navi Mumbai in Regular Civil Suit No. 79 of 2013, Navi Mumbai Municipal Corporation issued notices to the petitioners dated 26/07/2016 to remove the subject structures.

2. Learned Counsel appearing for the petitioners submits that application for regularization of the said structures

is pending with the CIDCO authority. Learned Counsel further states that against the judgment and order passed by the Civil Court, the petitioners have preferred an Appeal before the Appellate Court which is still pending.

3. In view of the fact that the petitioners have availed of an alternate remedy of filing an Appeal, we are not inclined to entertain this Petition. Keeping all issues on merits open, the Petition stands disposed of.

4. Status-quo as on today in respect of the subject structures shall be maintained by the parties for a period of 2 weeks.

(M.S.KARNIK, J.)

(NARESH H. PATIL, J.)