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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14078 OF 2016

Prema Shivram Gaikar

.. Petitioner

Vs.

1. The State of Maharashtra and ors.

.. Respondents

Mr. S. P. Thorat for petitioner.

Mrs. M. P. Thakur, AGP for State.

Mr. A. S. Rao for Corporation.

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

DECEMBER 20, 2016.

P.C.

1. Learned counsel for the petitioner submits that petitioner is under apprehension that the Corporation will demolish part of the structure of his restaurant i.e. Hotel Gurukrupa, situated at Survey No. 155, Hissa No.1, Kalyan Shil Phata Road, Opp. MIDC, Village Golarali, Taluka – Kalyan, District – Thane.

2. Learned counsel for the Corporation submits that only show-cause notice has been given to the petitioner and the petitioner has

submitted his reply to the same. The Corporation is yet to take a decision. He further submitted that the decision will be taken within three weeks from today and the same will be communicated with brief reasons to the petitioner.

3. We direct the Corporation to act according to the statement made by the learned counsel appearing for it. In case the decision is adverse to the petitioner, the same shall not take effect for a period of three weeks from the date of receipt of the same by the petitioner. Status quo in respect of the suit premises be maintained till then.

4. All issues on merits are kept open. Petition is disposed of.

5. It is clarified that we have not expressed any opinion on merits of the matter.

(M. S. KARNIK, J.)

(NARESH H. PATIL, J.)