

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION LOD.NO.760 OF 2016

Sunita Sadashiv Shetty .. Petitioner
Versus
State of Maharashtra and Anr. .. Respondents

Mr.Aniket Nikam with Prayag Joshi and Bipin Joshi for petitioner
Mr.Amit Shastri, AGP for State.

CORAM : R.D.DHANUKA, J

DATE : 16th March 2016.

P.C.

1] The matter is produced at 3.00 p.m. Learned Counsel for the petitioner states that by the impugned notice dated 9th March 2016 and corrigendum notice dated 14th March 2016, the Deputy Collector, Mumbai has threatened to demolish the structure of the petitioner, which is more than 30 years old within 24 hours of receipt of notice dated 14th March 2016.

2] Learned Counsel for the petitioner submits that he would file an appeal under section 50 of the Maharashtra Land Revenue Code before the Divisional Commissioner against the impugned notice issued by the Deputy Collector within two weeks from today. The

statement is accepted. Petitioner to file an appeal before the Divisional Commissioner in terms of aforesaid statement within 10 days from today and a copy of the same be served on respondents. Respondents are directed not to take any action pursuant to the impugned notice dated 9th March 2016 and 14th March 2016 for a period of two weeks from today. The petitioner shall be at liberty to seek interim reliefs before the appellate authority by filing separate application. It is made clear that this Court has not expressed any opinion on merits of the petition. All contentions of both sides are expressly kept open.

3] In view of the statement made by the learned Counsel for the petitioner, this petition does not survive and the same is disposed off accordingly. Parties to act on an authenticated copy of this order. Learned AGP to communicate this order to respondents.

(R.D.DHANUKA, J)