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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1765 OF 2015

Vishnu Babaji Rane ...Petitioner
vs.
Municipal Corporation of
Greater Mumbai & Anr. ...Respondents

Mr.A.D.Khillare for the Petitioner
Mr.A.Y.Sakhare, Senior Counsel a/w Ms Shobha
Ajitkumar for the respondents

CORAM : A.S.OKA, &
C.V.BHADANG,JJ.
DATE : JANUARY 4, 2016

P.C.:

1 Heard the learned counsel for the petitioner and the learned senior counsel for the respondents. The learned senior counsel for the respondents states that the building in which the premises claimed by the petitioner are situated has been declared as Category 'C-1' building and accordingly, the Mumbai Municipal Corporation will take steps in accordance with law for demolition of the building. He states that the Municipal Corporation shall follow due process of law for dispossessing the petitioner and the other occupants of the building. He states that in terms of the ad-interim order dated 3rd April 2014, electric supply to the premises of the petitioner will be restored through 'Garlic Garage'. He states that as far as electric supply is concerned, status quo ante will be restored as on the date on which the electric supply was disconnected.

2 We accept the said statements. He states that the electric supply will be continued till the due of process of law is followed by the Mumbai Municipal Corporation for evicting the petitioner.

3 The learned counsel for the petitioner submits that the Mumbai Municipal Corporation has no title in respect of the building in question. However, this issue need not be gone into at this stage in view of the categorical statement made by the learned counsel for the Municipal Corporation. By accepting the said statements, we dispose of the writ petition. However, all contentions of the petitioner are kept open. Needless to add that as the building in question has been categorized as 'C-1', the petitioner will continue to occupy the premises on his own risk.

(C.V.BHADANG,J.)

(A.S.OKA,J.)