

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 830 OF 2016

H.R.Jerajani and others

.. Petitioners

Vs.

Municipal Corporation of Greater Mumbai and others .. Respondents

Ms.Aparna Devkar i/b M/s.M.P Vashi & Associates, for the Petitioners.
Ms.K.H.Mastakar, for Respondent No.1 – B.M.C.
Ms.Sudeshna Guha Roy a/w Ms.Chinmayee Pendse i/b Vidhi
Partnerd, for Respondent No.3.

**CORAM : V. M. KANADE &
M.S.KARNIK, JJ.**

DATE : 05th APRIL, 2016

P.C. :

. Heard learned Counsel appearing on behalf of the petitioners and learned Counsel appearing on behalf of respondent No.1. All the petitioners except petitioner No.9 have tendered the undertakings affirmed before the Notary on 22/03/2016.

2. We accept the undertakings. In view of the undertakings, the challenge to the impugned notices and the impugned orders does not survive.

3. We accordingly dispose of the Petition. The impugned

orders shall not be implemented for a period of 3 months from today. On failure of the petitioners to remove the offending structures/work on or before 04/07/2016, the Corporation shall take action of demolition in terms of the impugned orders without further notice to the petitioners. The undertakings are taken on record and marked 'X' for identification. It is clarified that the petitioners shall as far as possible comply with the undertakings on or before 15/05/2016, if possible.

4. The Petition is disposed of accordingly. The Corporation may take action against petitioner No.9 since no undertaking has been filed. The stay, so far as petitioner No. 9 is concerned, is vacated.

(M.S.KARNIK, J.)

(V. M. KANADE, J.)