

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 1637 OF 2016

Mohammed Husain Hafiz Khan	}	Petitioner
versus		
Deputy Collector (Encroachment	}	
and Eviction) and Ors.	}	Respondents

Mr. Asad Bukhari with Mr. Sayed M. for
the petitioner.

Ms. Jyoti Chavan - AGP i/b. Mr. Mohit
Jadhav - AGP for respondent State.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- SEPTEMBER 14, 2016

P.C. :-

The petitioner's advocate has been instructed to make a statement that the appeal was filed before the Additional Collector (Mumbai City), which was dismissed by the said appellate authority on 24th August, 2016. Against the order of that appellate authority, the petitioner has approached the Government and the proceedings in that regard are pending before the Minister of Revenue and Forest, Government of Maharashtra. It would be entirely for the petitioner to seek such reliefs as are permissible in law in the pending appeal and if the Minister is unavailable, then, it is not as if that the petitioner is remedyless.

2) We do not countenance the request made of continuing the ad-interim order against demolition of the premises. The request made today orally in that behalf is refused. Nothing survives in the writ petition once the appellate order of the Collector has been passed and the petitioner has preferred further proceedings before the State Government. The writ petition is, therefore, disposed of.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)