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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3443 OF 2017

Kanchan Sureshlal Bhojwani ...Petitioner
vs.
Ulhasnagar Municipal Corporation
and others ...Respondents

Mr.N.R.Bubna for the Petitioner
Mr.S.M.Kamble for the respondent No.1
Ms N.M.Mehra, AGP for respondent No.2

CORAM : A.S.OKA, &
SMT.VIBHA KANKANWADI, JJ.
DATE : JULY 13, 2017

P.C.:

1 Heard the learned counsel for the petitioner and the learned counsel for the first respondent. In paragraph 5 of the petition, the petitioner has stated that she has removed a part of her structure on her own.

2. The learned counsel for the first respondent states that remaining part of the structure will not be demolished by the first respondent without following due process of law. He makes this statement on instructions of Shri Manish Jagganath Hivare, Assistant Commissioner of the first Respondent-Municipal Corporation. We accept the said statement. We make it clear that we have made no adjudication on the question of the nature of the

due process of law which should be followed by the first respondent. Writ petition is disposed of.

3 We direct that if after following due process of law, the first respondent decides to demolish the existing structure of the petitioner or a part thereof, a specific notice in writing shall be served to the petitioner to that effect at the address mentioned in the petition. Actual action of demolition shall not be taken for a period of 15 days from the date on which the notice is served to the petitioner to enable the petitioner to adopt appropriate remedy.

(VIBHA KANKANWADI,J.)

(A.S.OKA,J.)