

Jsn

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3626 OF 2014

Awadesh Kumar Ramnath Singh ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. Avnendra Kumar, i/b Mr. K.R. Tiwari, for the Petitioner.
Mr. A.P. Vanarse, AGP for Respondent No.1.
Mr. Suresh M. Kamble, for Respondent Nos. 2 and 3.

**CORAM: SMT. VASANTI A NAIK AND
RIYAZ I. CHAGLA, JJ.**
DATED: 11th OCTOBER 2017

PC:-

By this writ petition, the petitioner has sought a direction against respondent nos.2 and 3 to forthwith demolish the illegal construction carried out by the respondent no.4 in the public passage in the premises behind Bajarang Ice Factory, Ulhasnagar.

The learned counsel for the respondent Corporation has tendered an affidavit in reply on behalf of the respondent nos. 2 and 3 in Court today. The same is accepted on record. It is stated in the affidavit in reply that the grievance of the petitioner is duly considered by the Corporation and the Corporation has issued a notice to the respondent no.4 under Section 267 (1) and 478 of M.M.C. Act. It is submitted that if the respondent no.4 does not remove the illegal construction, further steps would be taken by the Corporation for the removal of the same.

In view of the statement made on behalf of the respondent

nos. 2 and 3, the grievance of the petitioner should stand redressed.

Hence, we dispose of the writ petition by accepting the statement made on behalf of the respondent Corporation, with no order as to costs.

(RIYAZ I. CHAGLA J.)

(SMT. VASANTI A NAIK, J.)