

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3579 OF 2017

Keshavprasad Jagdambaprasad Dube ... Petitioner
Vs.
Mira-Bhayandar Municipal Corporation,
Bhayandar (West), Thane & Ors. ... Respondents

Mr. Surel S. Shah, i/by Mr. A.U. Mishra, for the Petitioner.
Mr. M.S. Lagu for the Respondent-Municipal Corporation.

CORAM : NARESH H. PATIL &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 29TH MARCH 2017.

P.C. :

1. Heard Mr. Shah, learned counsel for the Petitioner, and Mr. Lagu, learned counsel for the Respondent-Municipal Corporation.

2. Petitioner challenged the notice dated 10th March 2017 issued by Ward Office No.2 of Mira-Bhayandar Municipal Corporation for carrying out unauthorized construction in the subject property. It is submitted by learned counsel for the Petitioner that, the initial notice has been issued by the Respondent-Municipal Corporation in the year 2004. However, an opportunity of hearing has not been given to the Petitioner by the Respondent-Municipal Corporation.

3. In the facts of the case, we direct that the Petitioner is entitled to file reply to the impugned notice. Respondent-Municipal Corporation shall, after hearing the Petitioner, pass an appropriate, brief and reasoned order within a period of four weeks from today.
4. Till then, the concerned parties to maintain status-quo as of today in respect of the subject property.
5. Petition stands disposed of in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [NARESH H. PATIL, J.]