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

WRIT PETITION NO. 6943 OF 2017

Sonawalla Pradip Kisandas ... Petitioner
Versus
Vasai Virar City Municipal Corporation & Ors. ... Respondents

Mr. Uday Warunjikar, for the Petitioner.
Mr. Novin Sachanandani, i/b Swati Sagvekar for Respondents.
Mr. Dilip Shukla, for Respondent Nos. 2 and 3.

**CORAM: SMT. VASANTI A NAIK AND
RIYAZ I. CHAGLA, JJ.**
DATED: 4th OCTOBER 2017

PC:-

By this Writ Petition the petitioner challenges the action on the part of the respondent of demolishing the structure in which the petitioner is running his business.

We *prima facie* find on hearing the learned counsel for the parties that several disputed questions of facts are involved in this Writ Petition and the structure in which the petitioner was conducting his business, was demolished long back on 9th February 2017. The question whether the respondent landlord and the Municipal Corporation had joined hands with a view to illegally demolish the structure of the petitioner could be decided by the Civil Court, where the parties would be entitled to tender evidence, both oral and documentary.

In the circumstances of the case, we dispose of the writ

petition with no order as to costs. The points raised in the petition are however, kept open.

(RIYAZ I. CHAGLA J.) (SMT. VASANTI A NAIK, J.)