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

CIVIL APPLICATION NO.1136 OF 2017

IN

WRIT PETITION (ST)NO.11959 OF 2017

Rajeshkhar Mahadeo Kiddad & Ors. ...Applicants

In the matter between

Rajeshkhar Mahadeo Kiddad & Ors. ...Petitioners

V/s.

The Bhiwandi Nizampur City

Municipal Corporation & Ors. ...Respondents

.....

Mr. D. A. Athavale for the Applicants/petitioners.

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**CORAM : K. K. TATED &
A. K. MENON, JJ.**

**DATE : 11TH MAY, 2017
(VACATION COURT)**

P.C.

1. Heard the learned counsel Mr. D.A.Athavale for the applicants. None appeared on behalf of the respondents when the matter is called out. The learned counsel for the applicants placed on record a copy of letter dated 9th May, 2017 showing that a copy of notice was duly served on the respondents on 9th May, 2017 at 3.20 p.m.
2. This application is for restoration of Writ Petition (ST)No.11959 of 2017 which stood dismissed for non-supply of the additional copies of Writ Petition

as per earlier dated 3rd May, 2017.

3. Considering the submissions of the learned counsel for the applicants and the averments made in the Civil Application, we are satisfied that the applicants have made out a case for allowing this Civil Application. It is made clear that if the structures are not demolished till today, the parties to maintain status quo as of today. Hence the following order:-

- (i) Writ Petition (ST) No.1136 of 2017 is restored on file.
- (ii) Applicants to remove all office objections except objection about translation of Marathi documents in English and other objections to be removed on or before 19th May, 2017, failing which Civil Application shall stand dismissed without further reference to the Court.
- (iii) All parties are directed to maintain status quo of suit premises till next date.
- (iv) Writ Petition (ST) No.11959 of 2017 to appear on board on **12th June, 2017.**
- (v) Civil Application stands disposed of accordingly.

(A. K. MENON, J.)

(K. K. TATED, J.)