

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.6131 OF 2016

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Atharva A. Dandekar for the Petitioners.
Shri N.R.Bubna for the Respondent No.1.
Ms.N.M. Mehra, AGP for the Respondent No.2.

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CORAM : A.S. OKA &
SMT. VIBHA KANKANWADI, JJ

DATED : 19TH JULY 2017

P.C.:

1. Learned counsel appearing for the first Respondent Thane Municipal Corporation states that without following the provisions of Section 260 of the Maharashtra Municipal Corporation Act, 1949, the first Respondent will not demolish the structures which are subject matter of this Petition. We accept the said statement. We may add here that a decision of the Division Bench of this Court in the case of *Sopan Maruti Thopate and Another v. Pune*

*Municipal Corporation and Another*¹ holds that if reply to the notice is given under Section 260 of the said Act, the Municipal Corporation is under an obligation to pass a speaking order which cannot be implemented for a period of two weeks from the date on which the order is served.

2. Subject to what is observed above, by accepting the aforesaid statement as the undertaking of the first Respondent, the Petition is disposed of.

(SMT.VIBHA KANKANWADI, J)

(A.S.OKA, J)